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Statutes of the Realm.

THE

STATUTES

OF

THE REALM.

108089 d

PRINTED BY COMMAND

OF HIS MAJESTY

KING GEORGE THE THIRD.

IN PURSUANCE OF AN ADDRESS OF

THE HOUSE OF COMMONS

OF GREAT BRITAIN.

From Original Records and Authentic Manuscripts.

VOLUME THE FIRST.

MDCCCX.

RECORD COMMISSION

12th March 1831.

THIS BOOK

IS TO BE

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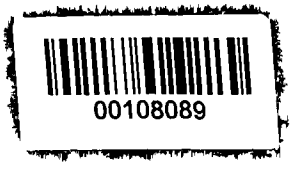

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ADDRESS

OF THE

HOUSE OF COMMONS OF GREAT BRITAIN

TO

HIS MAJESTY,

RESPECTING

The Public Records of the Kingdom.

JOURNAL OF THE HOUSE OF COMMONS,

Veneris, 11° die Julii:

Anno 40° Georgii III^tii Regis, 1800.

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain in Parliament assembled, having taken into our Consideration the State of the Public Records of this Kingdom, and the Necessity of providing for the better Arrangement, Preservation, and more convenient Use of the same, humbly beg leave to lay before Your Majesty the Report of our Proceedings thereon; and to represent to Your Majesty, that in several of the Principal Offices we have found the Public Records preserved with great Order and Regularity, and in some few, with a Method and Care which are exemplary; but that, in many of the most important Offices, they are wholly unarranged, undescribed, and unascertained; that some of them are exposed to Erasure, Alteration, and Embezzlement, and others are lodged in Places where they are daily perishing by Damp, or incurring a continual Risk of Destruction by Fire.

A PERIOD of nearly Seventy Years has elapsed since the last General Parliamentary Inquiry upon this Subject; and, during this Interval of Time, the Change which has taken place in the Language and written Character of Judicial Proceedings, as well as the large Accumulation of Materials which has been progressively superadded in every Department, have increased the Difficulties of methodizing the several Repositories, or applying their Contents to Purposes of practical Use.

In the Course of our Inquiry we have found that many of the Public Buildings allotted to these Uses, and especially those Buildings which belong to Your Majesty's Exchequer in all its Branches, comprehending the ancient Records and Muniments of the Rights and Possessions of the Crown, and the Vouchers and Accounts of the Public Revenues and Expenditure, are in a State so incommodious and insecure, as to require immediate Attention.

It has also appeared to us, that the salutary Measures heretofore adopted by Your Majesty's Authority, for methodizing the Contents of some of the principal Repositories of Your Majesty's Records and Papers of State, might also be extended to many other Repositories, with Consequences highly beneficial to the Public Service.

And the same Motives which encouraged our Predecessors to intreat Your Majesty's Directions for printing the ancient Records of Domesday, and the Rolls of Parliament, have also induced us to submit to Your Majesty's Wisdom, our Desire of extending the same Measure to other ancient and valuable Monuments of our History, Laws, and Government.

Your Faithful Commons do therefore most humbly beseech Your Majesty, that You will be graciously pleased to give such Directions as Your Majesty, in Your great Wisdom, shall think fit, for the better Preservation, Arrangement, and more convenient Use of the Public Records of this Kingdom.

And we beg leave further to assure Your Majesty that whatever extraordinary Expences may be incurred by the Directions which Your Majesty, in Your great Wisdom, shall think fit to give on this Occasion, shall be chearfully provided for and made good by Your faithful Commons.

JOURNAL OF THE HOUSE OF COMMONS,

Jovis, 17° *die Julii*;

Anno 40° Georgii III^tii^ Regis, 1800.

Mr. Chancellor of the Exchequer reported to the House, That their Address of Friday last, (that His Majesty would be graciously pleased to give such Directions as He shall think fit, for the better Preservation, Arrangement, and more convenient Use of the Public Records of this Kingdom, and to assure His Majesty, that whatever extraordinary Expenses may be incurred by the Directions which His Majesty shall think fit to give on this Occasion, shall be made good by His faithful Commons,) had been presented to His Majesty; and that His Majesty had commanded him to acquaint this House, that He will give Directions as desired by the said Address.

COMMISSION

FOR EXECUTING THE MEASURES RECOMMENDED BY

THE HOUSE OF COMMONS.

19th July 1800.

GEORGE *R.*

GEORGE THE THIRD by the Grace of God King of Great Britain, France, and Ireland, Defender of the Faith, &c.

TO Our right trusty and right entirely beloved Cousin and Councillor *William Henry Cavendish* Duke of *Portland*, Knight of the most noble Order of the Garter; Our right trusty and well-beloved Councillors, *William Wyndham* Baron *Grenville*, and *Henry Dundas* Esquire, Our Three Principal Secretaries of State; Our right trusty and well-beloved Councillors, *Henry Addington* Esquire, Speaker of the House of Commons; *William Pitt* Esquire, Chancellor and Under Treasurer of Our Exchequer, and First Commissioner of Our Treasury; Sir *Richard Pepper Arden* Knight, Master of the Rolls; *Frederick Campbell* Esquire, commonly called Lord *Frederick Campbell*, Our Clerk Register of Scotland; *Sylvester Douglas* Esquire, one of the Commissioners of Our Treasury; Our trusty and well-beloved Sir *John Mitford* Knight, Our Attorney General; Sir *William Grant* Knight, Our Solicitor General; *Robert Dundas* Esquire, Our Advocate for Scotland; and *Charles Abbot* Esquire: Greeting,

WHEREAS the Knights, Citizens, and Burgesses, and Commissioners of Shires and Boroughs in Our Parliament of Great Britain assembled, having taken into their consideration the State of the Public Records of this Kingdom, and the necessity of providing for the better arrangement, preservation, and more convenient use of the same, have humbly laid before Us a Report of their Proceedings thereon; and have also humbly represented unto Us, that the Public Records of the Kingdom are in many Offices unarranged, undescribed, and unascertained; that many of them are exposed to erasure, alteration, and embezzlement, and are lodged in Buildings incommodious and insecure; and that it would be beneficial to the Public Service that the Records and Papers contained in many of the principal Offices and Repositories should be methodized, and that certain of the more antient and valuable amongst them should be printed; and have humbly besought Us, that We would be graciously pleased to give such Directions thereupon as We in Our wisdom shall think fit;

NOW KNOW YE, that We, considering the premises, and earnestly desiring more effectually to provide for the better arrangement, preservation, and more convenient use of the said Records and Papers, and reposing great trust and confidence in your fidelity, discretion, and integrity;—

HAVE AUTHORIZED and appointed, and by these Presents Do authorize and appoint you the said *William Henry Cavendish* Duke of *Portland*, *William Wyndham* Baron *Grenville*, *Henry Dundas*, *Henry Addington*, *William Pitt*, Sir *Richard Pepper Arden*, *Frederick Campbell* (commonly called Lord *Frederick Campbell*), *Sylvester Douglas*, Sir *John Mitford*, Sir *William Grant*, *Robert Dundas*, and *Charles Abbot*, and any Three or more of you, to make a diligent and particular inquiry into the several Matters which Our Faithful Commons have, in the abovementioned Report of their Proceedings, represented as fitting to be provided for by Our royal authority.

AND FURTHERMORE, We do by these Presents give and grant to you Our said Commissioners, and any Three or more of you, full power and authority to cause all and singular the Officers, Clerks, and Ministers of the said Offices and Repositories respectively, to bring and produce upon Oath before you, or any Three or more of you, all and singular Rolls, Records, Books, and Papers, or other Writings, belonging to the said Offices or Repositories, or any of them, or any Officers within the same, and which shall be in the custody of them or any of them respectively.

AND OUR FURTHER WILL and Pleasure is, That Ye or any Three or more of You, upon due examination of the premises, shall cause such matters to be duly and speedily executed, as ye shall judge fitting and proper to be done, for the more effectual execution of the several Measures recommended by Our faithful Commons, in the said Report of their Proceedings relative thereto.

AND, TO THE END that Our Royal Will and Pleasure in the premises may be executed with the greater regularity and expedition, We farther by these Presents will and command, and do hereby give full power and authority to you or any Three or more of you to nominate and appoint from time to time such Person of ability, care, and diligence, as ye shall think fit, to be and act as your Clerk or Secretary, for the purpose of aiding you in the execution of these Presents; and also to nominate and appoint in like manner such several Persons of ability, care, and diligence, as ye may think fit, to be Sub-Commissioners, to be employed under your direction and controul in the premises; and more especially to methodize, regulate, and digest the Records, Rolls, Instruments, Books, and Papers, in any of Our Public Offices and Repositories; and to cause such of the said Records, Rolls, Instruments, Books, and Papers as are decayed and in danger of being destroyed, to be bound and secured; and to make exact Calendars and Indexes thereof; and to superintend the printing of such Calendars and Indexes, and original Records and Papers as ye shall cause to be printed; which said Clerk or Secretary, and Sub-Commissioners, and every of them, shall and may be removed by you or any Three of you from time to time at your will and pleasure, full Power and Authority being hereby given to you to appoint others in their places respectively.

AND WE FURTHER WILL and command, and by these Presents ordain, That ye or any Three or more of you shall from time to time certify under your Hands and Seals unto Our Lord High Treasurer, or unto the Commissioners of Our Treasury for the time being, what shall be a fit and suitable recompence to the above-mentioned Clerk or Secretary, and Sub-Commissioners respectively, for their pains and services in the execution of the duties hereby required to be by them performed; which said recompence it is Our Will and Pleasure shall thereupon be paid to them respectively and accordingly.

AND OUR FURTHER WILL and Pleasure is, That ye or any Three or more of you do and shall, on or before the 25th Day of March in the year of our Lord 1801, and so from year to year on or before the 25th day of March in each year respectively, so long as this Commission shall continue in force, certify unto Us in Our Privy Council, under your Hands and Seals respectively, all and every of the several Proceedings of yourselves and of the said Sub-Commissioners had by virtue of these Presents, together with such other Matters (if any) as may be deserving of Our royal Consideration, touching or concerning the premises, and what further measures (if any) ye shall think fit to propose thereupon.

AND LASTLY, We do by these Presents ordain, That this our Commission shall continue in full force and virtue, and that ye Our said Commissioners, or any Three or more of you, shall and may from time to time, and at any place or places, proceed in the Execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by Adjournment.

GIVEN at Our Court at Saint James's, the Nineteenth Day of July, in the Fortieth Year of Our Reign.

By His MAJESTY's Command.

(Signed) *Portland.*

SECOND RECORD COMMISSION.

23d May 1806.

GEORGE *R.*

GEORGE THE THIRD by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith;

TO Our right trusty and well-beloved Councillor *William Wyndham* Baron *Grenville*, First Commissioner of Our Treasury, or the First Commissioner of Our Treasury for the time being; Our right trusty and right well-beloved Cousin and Councillor *George John* Earl *Spencer*, Knight of the most Noble Order of the Garter; Our right trusty and well-beloved Councillors *Charles James Fox*, and *William Windham*, Our three Principal Secretaries of State, or Our three Principal Secretaries of State for the Time being; Our right trusty and well-beloved Councillors *Charles Abbot*, Speaker of the House of Commons, or the Speaker of the House of Commons for the time being; and Sir *William Grant* Knight, Master of the Rolls, or the Master of the Rolls for the time being; Our trusty and well-beloved *Henry Erskine* Esquire, Our sole and only Advocate for Scotland, or our sole and only Advocate for Scotland for the time being; Our right trusty and well-beloved Cousin and Councillor *Henry* Viscount *Sidmouth*; Our right trusty and well-beloved Councillors *Frederick Campbell* Esq. (commonly called Lord *Frederick Campbell*), *Sylvester* Baron *Glenbervie* of that part of Our United Kingdom called Ireland, and *John* Baron *Redesdale*; the Right Reverend Father in God Our right trusty and well-beloved *John* Lord Bishop of *Oxford*; Our right trusty and well-beloved Councillors *Charles Bathurst*, *William Wickham*, and *Nathaniel Bond*.

WHEREAS the Knights, Citizens, and Burgesses, and Commissioners of Shires and Boroughs in Our Parliament of Great Britain assembled, having taken into their Consideration the State of the Public Records of this Kingdom, and the necessity of providing for the better arrangement, preservation, and more convenient use of the same, have heretofore humbly laid before Us a Report of their Proceedings thereon, and also humbly represented unto Us that the Public Records of the Kingdom are in many Offices unarranged, undescribed, unascertained; that many of them are exposed to erasure, alteration, and embezzlement, and are lodged in Buildings incommodious and insecure; and that it would be beneficial for the Public Service that the Records and Papers contained in many of the principal Offices and Repositories should be methodized, and that certain of the more antient and valuable amongst them should be printed; and humbly besought Us that We would be graciously pleased to give such directions thereupon, as We in Our wisdom should think fit:

AND WHEREAS WE, considering the premises, and earnestly desiring more effectually to provide for the better arrangement, preservation, and more convenient use of the said Records and Papers,

did by Warrant under Our Sign Manual, bearing date the nineteenth day of July 1800, authorize and appoint the several Persons therein severally named, and any Three or more of them, to make a diligent and particular inquiry into the several Matters which Our faithful Commons had, in their abovementioned Report of their Proceedings, represented as fitting to be provided for, by Our royal Authority, and to do such other matters and things touching the premises as are therein set forth: And Whereas the said several Persons thereby appointed have duly proceeded in the execution of the several matters committed to their charge, and have made considerable progress therein, as by their annual Certificates to Us in Our Privy Council appears; but some of the said Persons are since deceased, or have become less able to attend to the duties so required of them, and it is expedient to appoint others in their place, and also to increase the number of the said Persons so to be appointed for the Purpose aforesaid, in such manner as may give more complete and permanent effect to Our royal Intentions in that behalf:

Now Know Ye, That We, considering the premises, and earnestly desiring further and more effectually to provide for the better arrangement, preservation, and more convenient use of the said Records and Papers, and reposing great trust and confidence in your fidelity, discretion, and integrity, have authorized and appointed, and by these Presents Do authorize and appoint, you the said *William Wyndham* Baron *Grenville*, *George John* Earl *Spencer*, *Charles James Fox*, *William Windham*, *Charles Abbot*, Sir *William Grant*, *Henry Erskine*, *Henry* Viscount *Sidmouth*, *Frederick Campbell* Esquire (commonly called Lord *Frederick Campbell*), *Sylvester* Baron *Glenbervie*, *John* Baron *Redesdale*, *John* Lord Bishop of *Oxford*, *Charles Bathurst*, *William Wickham*, and *Nathaniel Bond*, and any Three or more of you, (whereof the said First Commissioner of Our Treasury, one of Our Principal Secretaries of State, The Speaker of the House of Commons, The Master of the Rolls, or Our Advocate for Scotland, severally and respectively for the time being, to be one,) further to make a diligent and particular Inquiry into the several Matters which our Faithful Commons have, in the above-mentioned Report of their Proceedings, represented as fitting to be provided for by Our royal Authority:

And furthermore We do by these Presents give and grant unto you, Our said Commissioners and any Three or more of you, (whereof the said First Commissioner of Our Treasury, one of Our Principal Secretaries of State, The Speaker of the House of Commons, The Master of the Rolls, or Our Advocate for Scotland, severally and respectively for the time being, to be one,) full power and authority to cause all and singular the Officers, Clerks, and Ministers of the said Offices and Repositories respectively, to bring and produce upon Oath, before you or any Three or more of you, all and singular Rolls, Records, Books, and Papers, or other Writings belonging to the said Offices or Repositories, or any of them, or any Officers within the same, and which shall be in the custody of them or any of them respectively:

And Our further Will and Pleasure is, That ye or any Three or more of you, (whereof the said First Commissioner of Our Treasury, one of Our Principal Secretaries of State, The Speaker of the House of Commons, The Master of the Rolls, or Our Advocate for Scotland, severally and respectively for the Time being, to be one,) upon due examination of the premises, shall cause such Matters to be duly and speedily executed, as ye shall judge fitting and proper to be done for the more effectual execution of the several Measures recommended by Our Faithful Commons, in the said Report of their Proceedings relative thereto.

And, to the end that Our royal Will and Pleasure in the premises may be executed with the greater regularity and expedition, We further by these Presents will and command, and do hereby give full power and authority to you, or any Three or more of you, (whereof the said First Commissioner of Our Treasury, one of Our Principal Secretaries of State, The Speaker of the House of Commons, The Master of the Rolls, or Our Advocate for Scotland, severally and respectively for the time being, to be one,) to nominate and appoint from time to time such Person of ability, care,

and diligence, as ye shall think fit, to be and act as your Clerk or Secretary, for the purpose of aiding you in the execution of these Presents; and also to nominate and appoint in like manner such several Persons of ability, care, and diligence, as ye may think fit, to be Sub-Commissioners, to be employed under your direction and controul in the premises; and more especially to methodize, regulate, and digest the Records, Rolls, Instruments, Books, and Papers, in any of Our Public Offices and Repositories, and to cause such of the said Records, Rolls, Instruments, Books, and Papers as are decayed and in danger of being destroyed, to be bound and secured; and to make exact Calendars and Indexes thereof; and to superintend the printing of such Calendars and Indexes, and original Records and Papers as ye shall cause to be printed: which said Clerk or Secretary, and Sub-Commissioners, and every of them, shall and may be removed by you or any Three or more of you, (whereof the said First Commissioner of Our Treasury, one of Our Principal Secretaries of State, The Speaker of the House of Commons, The Master of the Rolls, or Our Advocate for Scotland, severally and respectively for the time being, to be one), from time to time at your will and pleasure; full power and authority being hereby given to you, to appoint others in their places respectively.

And We further will and command, and by these Presents ordain, That ye, or any Three or more of you, (whereof the said First Commissioner of Our Treasury, one of Our Principal Secretaries of State, The Speaker of the House of Commons, The Master of the Rolls, or Our Advocate for Scotland, severally and respectively for the time being, to be one,) shall from Time to Time certify under your Hands and Seals, unto Our Lord High Treasurer, or unto the Commissioners of Our Treasury for the time being, what shall be a fit and suitable recompence to the above-mentioned Clerk or Secretary, and Sub-Commissioners respectively, for their pains and services in the execution of the duties hereby required to be by them performed; which said recompence it is Our Will and Pleasure shall thereupon be paid to them respectively and accordingly.

And Our further Will and Pleasure is, that ye, or any Three or more of you, (whereof the said First Commissioner of Our Treasury, one of Our Principal Secretaries of State, The Speaker of the House of Commons, The Master of the Rolls, or Our Advocate for Scotland, severally and respectively for the time being, to be one,) do and shall, on or before the Twenty-fifth day of March in the year of our Lord 1807, and so from year to year, on or before the Twenty-fifth day of March in each year respectively, so long as this Commission shall continue in force, certify unto Us in our Privy Council, under your Hands and Seals respectively, all and every of the several Proceedings of yourselves and of the said Sub-Commissioners, had by virtue of these Presents, together with such other Matters (if any) as may be deserving of Our Royal Consideration touching or concerning the premises; and what further Measures (if any) ye shall think fit to propose thereupon. And Lastly, We do by these Presents ordain, That this Our Commission shall continue in full force and virtue, and that ye Our said Commissioners or any Three or more of you, (whereof the said First Commissioner of Our Treasury, one of Our Principal Secretaries of State, The Speaker of the House of Commons, The Master of the Rolls, or Our Advocate for Scotland, severally and respectively for the Time being, to be one,) shall and may from time to time, and at any place or places, proceed in the Execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by Adjournment.

Given at Our Court at Saint James's, the twenty-third day of May 1806, in the Forty-sixth Year of Our Reign.

By His MAJESTY's Command.

(Signed) *Spencer.*

PROCEEDINGS OF THE COMMISSIONERS

UNDER THE FOREGOING COMMISSIONS.

1800—1811.

AT A BOARD, holden at the House of The Right Honourable The Speaker of The House of Commons, on Friday the 19th Day of December 1800.

PRESENT,

The Right Hon. HENRY ADDINGTON, Speaker of the House of Commons;
The Right Hon. Lord FREDERICK CAMPBELL;
The Right Hon. Sir WILLIAM GRANT, Master of the Rolls;
CHARLES ABBOT Esquire:

RESOLVED—That a complete and authentic Collection of THE STATUTES OF THE REALM be prepared; including every Law, as well those repealed or expired, as those now in force; with a Chronological List of them, and Tables of their principal Matters: And that *Alexander Luders*, *Thomas Edlyne Tomlins*, and *John France*, Esquires, Barristers at Law, be appointed Three of the Sub-Commissioners for preparing and executing the said Work.

AT A BOARD, holden at the House of the Right Honourable The Speaker of The House of Commons, on Wednesday the 24th Day of March 1802;

PRESENT,

The Right Hon. CHARLES ABBOT, Speaker of the House of Commons;
The Right Hon. Lord FREDERICK CAMPBELL;
The Right Hon. JOHN Baron REDESDALE;
The Right Hon. Sir WILLIAM GRANT, Master of The Rolls;
The Right Hon. SYLVESTER Baron GLENBERVIE:

The Sub-Commissioners appointed for preparing a complete and authentic Collection of the Statutes, having laid before the Board their several Plans for carrying the Work into Execution; specifying the Sources from whence the Materials were to be derived; the Selection to be made thereout; and the general Arrangement and Distribution of the Work, under the several Heads of Text, Collation, Translation, Tables, and Indexes:—The Board took the same into Consideration, and having specially directed the Manner of Proceeding thereon;—ORDERED, That the said Sub-Commissioners do proceed forthwith to carry the said Work into Execution conformably to such Directions.

AT A BOARD, holden at the House of the Right Honourable The Speaker of The House of Commons, on Wednesday the 21st Day of May 1806.

PRESENT,

The Right Hon. CHARLES ABBOT, Speaker of The House of Commons;
The Right Hon. Lord FREDERICK CAMPBELL;
The Right Hon. SYLVESTER Baron GLENBERVIE:

ORDERED—That *William Elias Taunton* Esquire, Barrister at Law, be appointed a Sub-Commissioner in the Room of *Mr. Luders* resigned; and that he be employed conjointly with the other Sub-Commissioners heretofore appointed for preparing a complete and authentic Collection of the Statutes of the Realm.

AT A BOARD, holden at the House of the Right Honourable The Speaker of the House of Commons, on Monday the 28th Day of April 1806;

PRESENT,

The Right Hon. CHARLES ABBOT, Speaker of The House of Commons;
The Right Hon. Sir WILLIAM GRANT, Master of The Rolls;
The Right Hon. Lord FREDERICK CAMPBELL;
The Right Hon. SYLVESTER Baron GLENBERVIE:

READ—A Paper, prepared by *Mr. Tomlins*, one of the Sub-Commissioners, suggesting the Expediency of directing further Searches to be made, for Originals, Records, and Manuscript Copies of Charters and Statutes preserved in the Universities, Cathedrals, and other Public Repositories in England and Ireland.—ORDERED: That *Mr. Tomlins* (accompanied, according to his Request, by *Mr. Illingworth*, also a Sub-Commissioner under this Board), do in the course of next Summer proceed to make the Searches above suggested; previously submitting to The Commissioners a detailed Statement of the proposed Places and Objects of Search.

AT A BOARD, holden at the House of the Right Honourable The Speaker of The House of Commons, on Thursday, the 22d Day of July 1806;

PRESENT,

The Right Hon. WILLIAM WYNDHAM Baron GRENVILLE, First Lord Commissioner of The Treasury;
The Right Hon. GEORGE JOHN Earl SPENCER, One of His Majesty's Principal Secretaries of State;
The Right Hon. CHARLES ABBOT, Speaker of The House of Commons;
The Right Hon. Sir WILLIAM GRANT, Master of the Rolls;
The Right Hon. JOHN Baron REDESDALE;
The Right Hon. NATHANIEL BOND:

READ; The Second Record Commission, dated the 23d Day of May 1806:—ORDERED: That all Persons employed under the former Commission, be continued in their respective Employments.

READ; A Statement or Plan, drawn up pursuant to Order, detailing the proposed Objects of the Search to be undertaken by *Mr. Tomlins* and *Mr. Illingworth*; and of the Places at which such Search is to be made.—RESOLVED: That this Board doth approve of the said Plan; and that the said Sub-Commissioners do forthwith proceed accordingly.

AT A BOARD, holden at the House of the Right Honourable The Speaker of the House of Commons, on Monday the 23d Day of March 1807;

PRESENT,

The Right Hon. CHARLES ABBOT, Speaker of the House of Commons;
The Right Hon. Sir WILLIAM GRANT, Master of The Rolls;
The Right Hon. HENRY ERSKINE, Lord Advocate of Scotland;
The Right Hon. Lord FREDERICK CAMPBELL;
The Right Rev. JOHN Lord Bishop of Bangor;*
The Right Hon. NATHANIEL BOND:

READ—A Report from *Messrs. Tomlins* and *Illingworth* of their Journey last Year, and the Result of their Searches in England and Ireland for Originals, Records, and Manuscript Copies of the Charters and Statutes of England; with an Appendix, containing Transcripts of Charters, Statutes, and other relative Documents, annexed thereto; which was this Day laid before the Commissioners, pursuant to Order.—ORDERED: That the said Report be printed, for the Use of the Commissioners, and for the supplying Materials towards an authentic Collection of the Statutes.

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* Dr. JOHN RANDOLPH, now Lord Bishop of London, named in the Commission, dated 23 May 1806, as "JOHN Lord Bishop of Oxford."

AT A BOARD, holden at the House of the Right Honourable The Speaker of The House of Commons, on Friday the 25th Day of March 1808;

PRESENT,

The Right Hon. CHARLES ABBOT, Speaker of the House of Commons;
The Right Hon. Sir WILLIAM GRANT, Master of The Rolls;
The Right Hon. ARCHIBALD COLQUHOUN, Lord Advocate of Scotland;
The Right Hon. Lord FREDERICK CAMPBELL;
The Right Hon. JOHN Baron REDESDALE;
The Right Hon. SYLVESTER Baron GLENBERVIE;
The Right Rev. JOHN Lord Bishop of Bangor;
The Right Hon. CHARLES BATHURST.

MATERIALS for the First Volume of an authentic Collection of the Statutes of the Realm, prepared by Messrs. *Luders*, *Tomlins*, *France*, and *Taunton*, Sub-Commissioners, having been laid before The Commissioners; containing The Statutes made in the Reigns of Henry III. and Edward I. II. and III. preceded by The Charters of the Liberties of England granted by Henry I. Stephen, Henry II, John, Henry III.; and Edward I. together with several engraved Specimens of Charters, Statutes, and other Records; and it appearing to this Board that the printing of the same for Distribution may now be proceeded upon;

ORDERED—That the said Materials be delivered by the Secretary to *Mr. Tomlins* and *Mr. Taunton*; and that Five Hundred Copies of the said Volume be printed from the said Materials, under their Inspection, with all such Dispatch as may be consistent with the accurate Execution of the Work.

AT A BOARD, holden at the House of the Right Honourable The Speaker of The House of Commons, on Monday the 25th Day of March 1811;

PRESENT,

The Right Hon. CHARLES ABBOT, Speaker of the House of Commons;
The Right Hon. Sir WILLIAM GRANT, Master of the Rolls;
The Right Hon. Lord FREDERICK CAMPBELL;
The Right Hon. JOHN Baron REDESDALE;
The Right Hon. SYLVESTER Baron GLENBERVIE;
The Right Rev. JOHN Lord Bishop of London;
The Right Hon. CHARLES BATHURST.

A PRINTED COPY of the First Volume of the Authentic Collection of THE STATUTES OF THE REALM having been this Day produced to the Board;

RESOLVED—That there be laid before His Royal Highness the Prince Regent in Council, a Report of the Progress made in the said Work, together with a Printed Copy of the said Volume.

And a Report being now prepared accordingly, and agreed to by the Board, the same was signed by the several Commissioners present.

Extracted from the Minutes of the Board.

John Caley, Secretary.

REPORT OF THE COMMISSIONERS

FOR EXECUTING THE MEASURES RECOMMENDED BY

THE HOUSE OF COMMONS,

&c. &c. &c.

TO HIS ROYAL HIGHNESS

GEORGE PRINCE OF WALES,

REGENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND,

IN COUNCIL.

WE, THE COMMISSIONERS constituted and appointed by His Majesty's Royal Commission, bearing Date the Twenty-third Day of May 1806, in the Forty-sixth Year of His Majesty's Reign, for carrying into Execution the Measures recommended in the Report made by the Select Committee of the House of Commons, in the Year 1800, with respect to the State of the Public Records of the Kingdom, and the Necessity of providing for the better Arrangement, Preservation, and more convenient Use of the same, and the printing of certain of the more antient and valuable amongst them, Do most humbly beg leave to certify to YOUR ROYAL HIGHNESS;

THAT, in the Execution of our Commission WE have, among the other Matters referred to Us, proceeded to carry into Effect so much of the Measures recommended by His Majesty's Faithful Commons, as related to the preparing and printing A Complete and Authentic Collection of THE STATUTES OF THE REALM;

AND, HAVING, by virtue of the said Commission, nominated and appointed several learned Persons, of Ability, Care, and Diligence, upon whose Fidelity we could sufficiently rely, to be our Sub-Commissioners, and under our Direction and Controul to be assisting to Us in the Premises; and having also, upon the Reports of the said Sub-Commissioners, made to Us from Time to Time, fully considered as well of the Mode of preparing and completing the said Collection, as of the several Matters to be included therein, WE have directed the said Sub-Commissioners to methodize and arrange all such Materials, as appeared to Us to be necessary for completing and duly setting forth the said Collection, and to distribute them under the following Heads:— FIRST, An Introduction; containing An Account of all former printed Collections, Translations, and Abridgements of the Statutes, and of the Plans heretofore proposed for an Authentic Publication, or for the Revision, of the Statutes; together with An Account of The Charters prefixed to this Collection; The Matters inserted therein, and their Arrangement; The Nature of the several Records, and other Sources from whence the said Collection has been made, and the Mode adopted in making and printing the same; The Original Language of the Charters and Statutes, and the Translation annexed to this Collection of the Statutes; and also An Account of the

Collections of the Statutes of Scotland and Ireland heretofore published by Royal or Parliamentary Authority; with the Methods successively adopted for promulgating the Statutes before and since the Union of Great Britain and Ireland:—SECONDLY, The Text of The Charters of the Liberties of England, granted by King Henry I, King Stephen, and King Henry II; and also the Great Charters and Charters of the Forest, granted by King John and King Henry III., and The Charters of Confirmation granted by King Edward I.—THIRDLY, A Chronological Table of the Statutes, and Instruments illustrative thereof, contained in this Collection; distinguishing all Matters inserted therein, which had not been inserted in any former Printed Collection of Statutes, and specifying the several Sources from which every Statute and Instrument is respectively derived; and the Language in which such Statute or Instrument is written:—FOURTHLY, The Text of The Statutes, and relative Instruments, with Notes of various Readings where necessary:—FIFTHLY, The common Translation of all Matters printed and translated in former Collections of the Statutes, with occasional Notes of Emendation; and also A Translation of Matters not translated or inserted in such former Collections:—LASTLY, An Alphabetical Index of Matters.

IN PROSECUTING this Work, the Learning, Skill, and Diligence of Our Sub-Commissioners have been long and laboriously employed: And WE now beg leave to lay before YOUR ROYAL HIGHNESS this, the First Volume of their Labours: Humbly assuring Your ROYAL HIGHNESS, that it has been our earnest Desire and Endeavour that all the several Charters, Statutes, and other Instruments contained in this Collection, should be taken from the most Authentic Records and Manuscripts now known to be extant; and presuming to hope that this has been accomplished with the Fidelity and Accuracy so peculiarly required in a Work designated by His Majesty's Faithful Commons, as highly expedient to be undertaken for the Honour of the Nation, and for the Benefit of all His Majesty's Subjects.

DATED 25 March 1811.

CHARLES ABBOT. (L. S.)

WILLIAM GRANT. (L. S.)

FREDERICK CAMPBELL. (L. S.)

REDESDALE. (L. S.)

GLENBERVIE. (L. S.)

J. LONDON. (L. S.)

CHARLES BATHURST. (L. S.)

INTRODUCTION.

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INTRODUCTION.

CHAP. I.

SECT. I.—*Former printed Collections, Translations, and Abridgements of the Statutes.*—SECT. II. *Plans heretofore proposed for an Authentic Publication, or for the Revision of the Statutes.*

SECT. I.

Former printed Collections, Translations, and Abridgements of the Statutes.

AN HISTORICAL ENUMERATION and Description of antecedent Publications of the Statutes, will best contribute to a right Understanding of the Necessity, and Origin of the present Undertaking; and of the Principles upon which it has been planned and executed.

All the Publications in Print of General Collections, Translations, and Abridgements of the Statutes, and of the Acts of particular Sessions, which have been hitherto discovered, are specified in Two Catalogues subjoined to this Introduction. *See Appendix* A. & B.

The Statute Rolls previous to the beginning of the Reign of Henry VII. being sometimes in Latin and sometimes in French, and from that Time uniformly in English, the Printed Editions, according to their several Periods, contain the Statutes, either 1st. In the Languages in which they were respectively passed, proclaimed, or printed; during various Periods from the Time of Hen. III. to the End of the Reign of Ric. III. without any Translation: Or 2dly, Translated for the whole or some Part of those Periods; and during subsequent Periods, in English: Or 3dly, In Latin and in French respectively to the End of Edward IV. or Ric. III. inclusive, with or without a Translation; and in English from the beginning of Ric. III, or of Hen. VII.

The earliest of the Printed Editions or Collections above referred to, is an Alphabetical Abridgement of Statutes, as well previous as subsequent to Edw. III. in Latin and French, the latest Statute in which is 33 Hen. VI. A. D. 1455. This is supposed to have been published before 1481. Vieux Abridgement, Hen. III.—33 Hen. VI. *Catalogue*, A. *No.* 1.

Another very early Edition, but supposed to be later than the preceding, and to have been printed about 1482, is a Collection of the Statutes, not abridged, from 1 Edw. III. to 22 Edw. IV. in Latin and French: This and the preceding Article are attributed to the joint labours of the Printers Lettou and Machlinia. Nova Statuta, 1482, 1 Edw. III.—22 Edw. IV. *Catalogue*, A. *No.* 2.

The Statutes passed in the only Parliament holden by Richard III. were printed, in French, by Caxton or Machlinia, or both, soon after they were passed, this being the first Instance of a Sessional Publication. The like Course was observed in the Reigns of Henry VII. and Henry VIII. from which Time the Statutes appear to have been regularly printed and published at the End of each Session. Sessional Publications. *Catal.* A. *No.* 3, 4, 5, 6, and *Catalogue* B.

The Collection printed by Pynson, probably about the Year 1497, 13 Hen. VII. but certainly before 1504, 19 Hen. VII, contains the Statutes from 1 Edw. III. to 1 Richard III. inclusive, in Latin and in French respectively; and those from 1 to 12 Hen. VII. in English. Nova Statuta, Pynson, 1497. 1 Edw. III.—12 Hen. VII. *Catalogue*, A. *No.* 7.

The small Edition of the Antiqua Statuta first printed by Pynson in 1508, and afterwards frequently reprinted, contains Magna Carta, Carta de Foresta, the Statutes of Merton, Marlbridge, Westminster 1. and 2., and other Statutes previous to 1 Edward III. in Latin and French respectively. These are the earliest Printed Copies now known of those Statutes. Pynson's Antiqua Statuta, M^{a} C^{a}—1 Edw. III. 1508, &c. *Catalogue* A. *No.* 11.

The Abridgement of the Statutes in *English*, to 11 Hen. VIII. translated and printed by John Rastall, is preceded by a Preface on the Propriety of the Laws being published in English. This appears to be the first *English* Abridgement of the Statutes: and it helps to ascertain the Period when the Statutes were first "endited and written" in English; as the Preface ascribes that Measure to Henry VII. Subsequent English Abridgements were published at various Times by Rastall and other Printers. Abridgements, English, Rastall, 1519. &c. *Catalogue*, A. *No.* 13. 24, 27, 29, 34.

Various Editions of the Alphabetical Abridgement of the Statutes, above mentioned as published before 1481, were from time to time printed; enlarged by the Abridgement of subsequent Statutes: Of these the Edition by Owen, including the Statutes of 7 Hen. VIII. was printed in 1521. An Appendix, containing the Abridgement of the Acts of the next ensuing Session, 15 Hen. VIII, was printed in 1528, when a Title was added. These Collections form an Exception to the general Description of the Editions of the Statutes; for not only the Statutes previous to and in the Reign of Ric. III. are abridged in Latin or French, but the Abridgement of the Statutes of Hen. VII. and Hen. VIII. is in French, although they were originally passed and printed in English. Owen's Abridgement, 1521 & 1528. *Catalogue*, A. *No.* 14, 17.

Berthelet's Antiq. Stat. & Secunda Pars Vet. Stat. 1531, 1532. *Catalogue*, A. *No.* 21, 22.

In 1531 Berthelet printed an Edition of the Antiqua Statuta, similar to the Editions by Pynson, with some Additions. In 1532 Berthelet also printed a Collection of Statutes previous to 1 Edw. III. not included in the the Antiqua Statuta. This Collection he entitled "Secunda Pars Veterum Statutorum," and it is always so distinguished: It was frequently reprinted. The Statutes contained in it are in French and Latin respectively.

Tottell's Antiq. Stat. & 2da Pars. 1556, &c. *Catal.* A. *No.* 35, 36, 41.

Neither in the Antiqua Statuta by Pynson, nor in the Secunda Pars Veterum Statutorum, were the Contents arranged with any Chronological Accuracy: In the Antiqua Statuta the Two Charters, and the Statutes of Merton, and Marlbridge, and Westminster 1 and 2, are placed first, and the other Matters follow in a very confused Manner. No better Order is preserved in the Secunda Pars. These Two Parts of the Vetera Statuta were frequently reprinted together. The Edition of them by Tottell in 1556 is the most known: This varies from Pynson's and Berthelet's, in some Readings of the Text of the Statutes; and it is enlarged by the Addition of "certain Statutes with other needful Things taken out of Old Copies examined by the Rolls," printed at the End of the First Part. Editions by Tottell in 1576, and 1587, and later Editions by various Printers, insert only a partial Selection of Antient Statutes, with further various Readings, and add some modern Statutes. On a Comparison, made for the Purpose of ascertaining the Fact, there is reason to conclude that the Copy used by Lord Coke in his Second Institute was that of 1587.

Ferrers's Translation Antiqua Statuta, 1534, 1540, 1542. *Catalogue*, A. *No.* 25.

The earliest Printed Translation, not abridged, of the Charters, and of several Statutes previous to 1 Edw. III. appears to have been made by Ferrers, a Member of Parliament, from the Editions of the Vetera Statuta and Secunda Pars before noticed; It was first printed in 1534, and contains the greatest Part, but not all, of the Matters included in those Editions, but does not arrange them in Chronological Order. In 1540 and 1542, other Editions of this Translation were published, with some Amendments and Additions.

Berthelet; English, 1543. Hen. III. to 19 Hen. VII. *Catalogue*, A. *No.* 31.

In 1543, The Statutes in English, from the time of Henry III. to 19 Hen. VII. inclusive, chronologically arranged, were printed by Berthelet, in one Volume, Folio. It has not been satisfactorily ascertained that any complete chronological Series of the Statutes from Magna Carta to 1 Edw. III., either in their Original Language, or in English, or that any Translation of the Statutes from 1 Edw. III. to 1 Hen. VII. had been published previous to this Edition by Berthelet; though some Books refer to Editions by Berthelet as of 1529 and 1540.[1] It appears probable that the Translation in this Edition by Berthelet was made from the small Editions of the Vetera Statuta and Secunda Pars, and from Pynson's Edition of the Nova Statuta 1 Edw. III. to 1 Ric. III. inclusive. This Edition contains some Translations, particularly of the *Dictum de Kenilworth*, not included in either of the Editions of Ferrers's Translations: With respect to the others previous to 1 Edw. III. it agrees in general with the Second Edition of Ferrers's Translation; and Cay, in the Preface to his Edition of the Statutes, conjectures that the Whole of the Translation in this Edition was made by Ferrers. No Translation of the *Statuta Walliæ* 12 Edw. I. is given either by Ferrers or in any subsequent Edition: Several other Statutes also have been always printed without Translations.

Myddylton and Berthelet, English, 1541-8. 1 Edw. III. to 34 Hen. VIII. *Catalogue*, A. *No.* 33.

"The Great Boke of Statutes" commences with 1 Edw. III. and ends with 34 Hen. VIII. It is entirely in English. It appears to have been published at different Times, in separate Parts; and it seems not unlikely that the earliest Part may have been published previous to the English Edition printed by Berthelet in 1543, from which it differs in some Particulars: Of such Difference one Instance is the Insertion of Cap. 7. of 2 Ric. II. Stat. 1. respecting Pope Urban, which is omitted in Berthelet 1543 and subsequent Editions; from whence it seems probable that this Part was published before the severe Prohibitions, by the Acts of Hen. VIII, against acknowledging the Papal Power.

W. Rastall's Collection, 1557, 1579, &c. Hen. III. to 4 & 5 P. & Mar. *Catal.* A. *No.* 37, 42.

William Rastall (or Rastell) who in 1557 published his first Edition of a Collection of all the Statutes which were before that Year imprinted, was a Serjeant at Law; and was made a Judge in 1558. In this Collection the Statutes are distributed under apt Titles in Alphabetical Order, the Preambles for the most part being omitted, and a brief Mention only made of such Statutes as were expired or repealed, or of a private or local Nature. It gives all the Statutes to the End of Richard III. in Latin or in French, as they were at first published;[2] and all the subsequent Statutes in English. The same Collection, having the Statutes prior to Henry VII. translated into English, instead of being inserted in their Original Language, was printed about 1579, and reprinted very frequently afterwards, until 1621. In these successive Editions, the New Statutes were from Time to Time abridged, and inserted under their proper Titles. The Translation contained in this Collection appears to have been executed with superior Care and Industry; where it borrows from foregoing Versions, it, occasionally, amends what was faulty: Translations are inserted in it of some Matters not before translated; of others, Translations entirely new and more faithful are given; and the whole was sedulously revised from Time to Time; the later Editions, particularly those of 1591 and 1603, correcting Errors which had escaped Notice in the earlier Editions. Rastall died in 1565, and it is not known by whom these English Editions of the Collection bearing his Name, were prepared, or edited.

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[1] Herbert's Ames 417: Brady's History of England, vol. i. pa. 658.

[2] "I have put every Statute in the tonge that it was first written in. For those that were first written in latin or in frenche dare I not presume to translate into English for fear of misseinterpretacion. For many wordes and termes be there in divers Statutes, both in latin and in frenche, which be very hard to translate aptly into English."—Epistle or Preface prefixed to W. Rastall's Collection; Edit. 1557. In the Edition of 1579 and the subsequent Editions, this Sentence is omitted from the Preface.

The Edition of the Statutes in English, by Barker, in Two Volumes Folio, frequently bound up in one, ending with 29 Eliz, the Title to which affords the earliest Instance of the Term "Statutes at Large," agrees in general, as to the Statutes previous to 1 Hen. VII, with the English Edition by Berthelet in 1543.

Barker, 1587. English. Hen. III. to 29 Eliz. *Catal.* A. *No.* 43.

After the Edition of Rastall's Collection in English in 1579, it does not appear that any of the Statutes from 1 Edw. III. to 1 Hen. VII. were printed in Latin or French, until some of them were so printed in the Edition by Hawkins in 1735.

The English Edition 1618, which in the Title Page is said to contain all the Acts at any Time extant in Print until 16 Jac. I., published by the King's Printers, Norton and Bill, in Two Volumes large Folio, is usually called "Rastall's Statutes:" although the Editor of the Collections before noticed, had been long deceased. The latest Acts inserted in this Edition are of 7 Jac. I. being the last Session preceding the Publication. The Translation of the Statutes previous to Hen. VII. does not follow the improved Translation adopted in the Editions of Rastall's Collection in English; It agrees with the Translations of Berthelet 1543, and Barker 1587; except that it is not so correctly printed.

Rastall's English Statutes, 1618. Hen. III. to 7 Jac. I. *Catal.* A. *No.* 46.

In the same Year 1618, A Collection, in English, of sundry Statutes frequent in use, ending with 7 Jac. I. was published by Pulton. Several Statutes, not included in the Edition called Rastall's 1618, are for the first Time translated in this Edition, and are so noted to be in the Preface; the most important of these are, Ordinatio pro Statu Hibernie, as of 17 Edw. I. but being, in fact, of 17 Edw. II.;—Ordinatio Forestæ, 34 Edw. I.;—De Asportatis Religiosorum, 35 Edw. I.;—De Terris Templariorum, 17 Edw. II. Several subsequent Editions of this Collection were printed after the Death of Pulton: Those of 1635 and 1640 are remarkable for giving the progressive Answers to the Petition of Right, 3 Car. I. and the King's Speech on pronouncing the Assent, "Soit droit fait come il est desiré:" which are not contained in any other general Collections; though they were printed by Authority in the Sessional Publication of the Statutes of that Year.

Pulton's English Statutes, 1618. Hen. III to 7 Jac. I. *Catal.* A. *No.* 47.

See *Appendix* B. *Note* 1.

As this English Edition by Pulton has been much copied by subsequent Editors of the Statutes, it deserves particular Notice.[1]

The original Edition published in 1618, contained many Corrections of the then existing Translation, by rendering it more conformable to the Records in the Tower; and further Corrections were from Time to Time made in the subsequent Editions: But several Errors and Inconsistencies were suffered to remain in consequence of the Translation following the old Printed Copies of the Latin and French Text, which frequently differ from those Records.[2] Some of the Corrections made in the various Editions of the English Collection called Rastall's, were indeed adopted; but several Matters translated in Rastall's English Collection, are not included in Pulton's, particularly several of the Statutes of Uncertain Date, usually classed together after the Reign of Edw. II. A Change of Phraseology also is occasionally made in Pulton, not always to the Improvement of the Translation. Titles are put at the Heads of the several Chapters, which are in fact intended as Abridgements of their Contents, and which were not given in former Editions to the Chapters of any Statute previous to Edw. IV: though in the Chronological Table of Statutes subjoined to Rastall's Collection, Titles of a similar Kind occur from the Beginning of the Reign of Edward III. Several Parts or Chapters of the Statutes subsequent to 1 E. III. are omitted, and only noticed by the Titles or Abridgements.

From 1618 to 1725 the great Body of the Statutes continued to be published entirely in English; but the small Collections of the Statutes previous to 1 Edw. III. in French and Latin, were frequently reprinted till after 1618, and these were succeeded by the Collection in Lord Coke's Second Institute. The Editions bearing the Name of Pulton, were continued from time to time from 1618 to 1670; the last by Manby, who had previously edited the Statutes passed in the Time of Car. I. and Car. II.

During the Usurpation partial Collections of Acts for different Series of Years were published, from 1646 to 1654; and an Authentic Collection by Scobell the Clerk of the Parliament, from 1640 to 1656. After the Restoration, Editions of the Statutes Car. I. and Car. II. were published by the King's Printers and others.

Catal. A. *No.* 48, 49.

In 1676 Keble's Edition of the Statutes at large, ending with 27 Car. II. was published by the King's Printers, "carefully examined by the Rolls of Parliament." This Edition is in many Instances more correct, as to the Statutes subsequent to Hen. VII., than the Editions by Barker or Pulton, or that called Rastall's 1618: It was from Time to Time reprinted, and continued by additional Volumes. The Translation of the Statutes previous to Henry VII, contained in all the Editions called Keble's, was copied from the latest Edition of Pulton.

Keble's English Statutes, 1676, &c. Hen. III. to 27 Car. II. *Catal.* A. *No.* 50, 51, 52, 53, 55, 57.

The Edition of the Statutes by Serjeant Hawkins, published in 1735 in Six Volumes Folio, ending with 7 Geo. II. contains the respective Latin and French Texts of most of the Statutes to 8 Edw. IV. with Translations of such as had been before translated, and as appeared to him to be in force or use: Of some of these Statutes a Translation only is given, without the Original Text: Of the Statutes and parts of Statutes considered by him as obsolete, or which are expired or repealed, the Original Text is given without a Translation, and occasionally an

Hawkins, 1735. Lat. Fr. and Engl. Hen. III. to 7 Geo. II. *Catal.* A. *No.* 53, 57.

[1] See further as to this Edition by Pulton, and its Defects as a General Collection, Sect. II. pa. xxviij.

[2] See 4 Inst. 51. as to Errors in the printed Editions of the Statutes extant at that Time, in consequence of their differing from the Records; and see the Volume usually called Cotton's Abridgement of the Records in the Tower; but which in Fact is an Abridgement of the Rolls of Parliament from 5 E. II. to 1 Ric. III., made by Bowyer, Keeper of the Records: In these, many Variations between the Statute, as printed, and the Parliament Roll, are stated; but without adverting to the Circumstance how far the printed Statutes agreed with the Statute Roll. See also Prynne's Preface to Cotton's Abridgement, fo. 3, 4.

Abridgement without either the Text or Translation. From his Preface he seems not to have been aware that the early Statutes had ever been printed in Latin or French, in any Collection except the Second Institute of Lord Coke; and he gives the Text from the Statute Rolls in the Tower, from ancient Manuscripts, or from the Second Institute; all in many Instances varying from the earliest Printed Editions. An Appendix is subjoined to the Sixth Volume, containing the Text of some of the more antient Statutes, which are omitted or of which Translations only are given in the Body of the Work; "together with some antient Records of Statutes omitted in the Statute Roll, but entered in other Parliamentary Records." Upon the Subject of the Translation, Hawkins thus expresses himself in his Preface: "It was proposed to make a new Translation of the French and Latin Statutes, and it must be owned that there are some Mistakes in the Old Translation, but it having, by its long Use, obtained a kind of prescriptive Authority, and seeming for the most Part to have been done with greater Learning and Accuracy than can be expected from any modern Hand, willing to undertake a Work of such Difficulty, and it being easy for the Reader to correct the Mistakes in it by the Help of the Original, it was judged most proper to retain it."

Cay, 1758. Lat. Fr. and Engl. Hen. III. to 30 Geo. II. *Catalogue, No.* 59.

Cay's Edition of the Statutes, published in 1758, in Six Volumes Folio, ending with 30 Geo. II. is very much upon the Plan of Hawkins's Edition, with the following Additions: In cases where the Statutes are printed from the Statute Rolls in the Tower, the Numbers of the respective Membranes of the Rolls are quoted; and in other Cases the several Manuscript Authorities from which they are printed are distinctly cited. The Latin and French Text respectively of several Statutes prior to Edw. III. and the French Text of the Statutes 23 Hen. VI.; 12, 14, 17, and 22 Edw. IV, which had been omitted by Hawkins, are given from Manuscripts. Several Instruments, not included in the previous Editions by Hawkins, Pulton, and others, are inserted from the early Printed Copies, and some Matters not contained in any former Edition of the Statutes, are printed from the Parliament Rolls. The Translation of the Statutes previous to Hen. VII. is the same as Keble's and Pulton's: In his Preface, Cay attributes the whole of that Translation to George Ferrers, in the Time of Hen. VIII. and speaks thus of it: "It is not a good one, and the Mistakes in it are very numerous and considerable: It has often been desired that a new Translation should be made, but as this has been used for some Ages, not only by the Public in general, but even by the Parliament, and many Statutes are recited in subsequent Acts in the Words of this Translation, it seems to be too much authenticated for an Editor to presume to reject it."

See Catalogue A. *No.* 57, 58, 59.

The Editions by Hawkins and Cay were for some time continued by several Volumes containing the Statutes of subsequent Years.

Ruffhead, 1762—1765. Lat. Fr. and Eng. Hen. III. to 4 Geo. III. *Catalogue, No.* 60.

In 1762 was printed the First Volume of an Edition of the Statutes at Large, which was completed in 1765, by Ruffhead, in Nine Volumes Quarto, ending with the Statutes of 4 Geo. III. In this Edition is included all that was comprehended in Cay's. Several Matters, however, which by Cay were inserted in the Body of his Work, were printed by Ruffhead, in an Appendix subjoined to the Ninth Volume; and in this Appendix are also introduced some Acts of Henry VII. and of subsequent Reigns, taken from former Printed Copies, and also from the Parliament Rolls, and the Inrollments of Acts in Chancery. This Edition was reprinted in 1769, &c. and has been regularly continued from time to time by Volumes containing the Statutes of subsequent Years.

Pickering, 1762, 1769. Lat. Fr. and Engl. Hen. III. to 1 Geo. III. *Catalogue, No.* 61.

Pickering's Edition of the Statutes at Large, in Twenty-three Volumes Octavo, ending with the Statutes 1 Geo. III. was printed at Cambridge, and published at various Times between 1762 and 1766. A Twenty-fourth Volume containing the Preface and Index was published in 1769. This Edition contains the same Matters, and for the most part, in the same Order, as Cay's Edition; with the Addition of the Statutes afterwards passed, and also of some Instruments and Translations from former Printed Copies, and other Sources, which "though deemed antiquated" were added "on account of their Public or Constitutional Importance." In an Appendix subjoined to the Twenty-third Volume, some of the Matters are inserted which are contained in Ruffhead's Appendix. This Edition also has been regularly continued by subsequent Volumes published from time to time.

It should be observed, that the Matters for the first time introduced by Hawkins, Cay, Ruffhead, and Pickering respectively, are few in Number; and that some of them are clearly not entitled to the Character of Statutes.[1] It is evident also that Ruffhead and Pickering took, each, Advantage of the Circumstance of their Editions being in the course of Publication during the same Period; and that, in the Insertion of new Matters, they by turns borrowed from each other.

Neither Hawkins, Cay, Ruffhead, nor Pickering take any Notice of the French Text of the Statutes of Richard III. which have been stated by some Writers[2] to have been originally in English; whereas the Editions of the Nova Statuta by Pynson, Rastall's Collection, and the Sessional Publication of the Statutes of Richard III, prove that the Statutes of that Reign were originally published in French: although, in and after the Reign of Henry VI, many Bills, in the Form of Acts, are entered on the Parliament Roll in English.

The Translation now chiefly in Use, which was first inserted in Pulton's Edition 1618, and thence copied with a few Corrections into subsequent Editions, and afterwards into those of Keble, Hawkins, Cay, Ruffhead and Pickering successively, does not answer wholly, either to the Text as given from the Records or Manuscripts, or to the Text of any of the Old Printed Editions; the Translation having been in part altered by Pulton and other Editors to suit it to the Text, as taken from the Record, and being in part suffered by them to remain, as in the earliest

[1] See Note on the Ordinance 46 Edw. III. relative to Lawyers and Sheriffs being returned to Parliament, printed in page 294 of the Statutes in this Volume.

[2] See Reeves's History of the English Law, cap. 26: and Christian's Edition of Blackstone's Commentaries, *Lib.* 1. *cap.* 2. in the Notes.

Editions, without making the Alterations necessary to remedy Errors, which were equally repugnant to the Old Printed Copies and to the Record. Throughout the whole Translation also Sentences are frequently inserted or omitted, contrary to the Authority of the Latin or French Text, as given from the Record or Manuscript, in the opposite Column of the Book; and the Translation, thus varying from the Text of the Record or Manuscript, is sometimes consistent with, and sometimes contrary to, the Old Printed Copies, which are not at all noticed.

Many palpable Errors and Omissions have been allowed to remain without Notice in all the Translations. Corrections, comparatively very few in Number, were silently made in the Progress of the Editions called Pulton's and Keble's. Those made from Time to Time in Rastall's English Collection, were numerous and important, but they have not been fully adopted in any Editions of the Statutes at large. The Suggestions of Corrections by Notes in the Margin of Cay's Edition are very rare, comparatively with the numerous Errors actually existing; but the Number of these Suggestions was somewhat increased in the Edition by Ruffhead, though not to any considerable Extent. The like Observations apply to Pickering's Edition; respecting which, however, it is material to notice, that of many of the obsolete, expired, or repealed Statutes or Parts of Statutes, a Translation only is given by Pickering, from the Edition by Pulton and that called Rastall's 1618, with some Amendments; while the Latin or French Text, or an Abridgement in English, is given in the Editions by Hawkins, Cay, and Ruffhead.

Upon the whole it is ascertained, That no complete Collection has ever been printed containing all the Matters, which at different Times, and by different Editors, have been published as Statutes. The earliest Editions of entire Statutes were printed at the latter End of the Fifteenth Century, and began with the Statutes of Edward III. in their Original Language: The Statutes of Henry III. Edw. I. and Edw. II. were not printed entire until the beginning of the Sixteenth Century, and then in small Collections by themselves in their Original Language: and none of these Printed Copies quote any Record or Manuscript as an Authority for the Text which they exhibit. Later Editions of the Statutes, which combine the Period previous to Edward III. with that of Edward III. and subsequent Kings, omit the Original Text of the Statutes previous to Henry VII.; giving Translations only of those Statutes, and the subsequent Statutes in English: And the most modern Editions which, in some Instances, insert the Original Text of the Statutes previous to Richard III. from the Statute Roll and ancient Manuscripts, omit the Translation of many Parts of them; and in other Instances give a Translation without the Text, and also omit many Acts in the Period subsequent to Hen. VII. Further it is to be observed, that the several Printed Editions differ materially from each other in the Text of the Statutes previous to Hen. VIII. The Copy of the Statute of Gloucester, 6 Edw. I. in the Editions printed by Tottell in 1556 and 1587, and by Lord Coke in his Second Institute, varies most materially not only from that in the earlier Printed Editions by Pynson in 1508 and 1514, and by Berthelet in 1531, but also from that in the Edition by Marshe in 1556, the same Year in which the First Edition by Tottell was printed. The Copy of this Statute printed by Hawkins from the Statute Roll in the Tower, varies as well from those printed by Tottell and Lord Coke, as from those by Pynson, Berthelet, and Marshe. This Instance is mentioned, as the Statute of Gloucester is the earliest now existing on any Statute Roll.[1] Many other Instances occur, even in Cases where the Necessity of Correctness was most peculiarly requisite: Such are the Ancient Statutes relating to the Assize of Bread, the Composition of Weights and Measures, and the Measuring of Land: In all these the Calculations in the several Printed Copies vary from each other, and are all incorrect, some in one Particular, some in another. It may be noted, moreover, that many verbal Variations occur between the several Editions which appear essentially to agree with each other. Thus the Copies in Tottell 1556, 1587, and the Second Institute, though generally accordant, are not precisely so: and the same Observation applies to the Editions by Pynson, Berthelet, and Marshe. These verbal Variations may be said to be innumerable, and though for the most Part minute, they are occasionally important. After the Commencement of the Reign of Edward III. a greater Degree of Correctness and Uniformity prevail; but so late as the Reign of Henry VII. some Instances of material Variation continue to be met with. The Acts of Richard III. were printed in French, first by Caxton, and afterwards in Pynson's Edition of the Statutes from the Commencement of the Reign of Edw. III: In the Editions by Berthelet, Barker, and others, these Acts of Ric. III. were printed in English, agreeing in Substance with the French Text: But in the Editions by Pulton, and subsequent Editors, there are essential Variances in the Translation, not only from the Sense of the French Text, but also from the former English Editions: And even of the Statutes of Henry VII., though always printed in English, the Copies in the Editions by Pulton, and subsequent Editors, differ in several Instances from those in the earlier Printed Collections.

It is moreover ascertained, That no one complete printed Translation of all the Statutes previous to Hen. VII. exists: Some which are omitted from Berthelet 1543, and the other early Editions, including that called Rastall's 1618, are inserted in Pulton 1618, and in Editions since published: On the contrary, several Parts of the Statutes from 1 Edw. III. to 1 Hen. VII., Translations of which are inserted in Berthelet, Rastall, and other Editions, are omitted, and merely Abridgements thereof given, in Pulton and subsequent Editions. All the Statutes therefore which have been hitherto translated can be found only by uniting Pulton 1618 and Rastall 1618, together with Rastall's English Collection, and the English Editions by Berthelet, Middleton, and Barker. Many Errors and Inconsistencies occur in all the Translations, resulting either from Misinterpretation, or from improper Omissions or Insertions; and there are many antient Statutes of which no Translation has ever yet been printed.

[1] There is reason to believe, from the Appearance of the Great Roll of Statutes in the Tower, that the Membranes which contained the Statutes preceding the Statute of Gloucester have been detached from those which now exist.

Sect. II.

Plans heretofore proposed for an Authentic Publication, or for the Revision, of the Statutes.

No Complete and Authentic Edition of the Statutes has hitherto been undertaken by Authority; nor has the Design itself ever been suggested, simply, and without Connection with other Schemes of Reformation or Improvement.

A general Revision of the Statute Law has been often recommended from the Throne; and has been petitioned for by both Houses of Parliament; It has engaged the Labours of successive Committees, and has been undertaken by Individuals sometimes with, and sometimes without, the Sanction of Royal or Parliamentary Authority; but has never yet been carried forward to any Degree of Maturity.

Q. Elizabeth. Sir N. Bacon.

In Queen Elizabeth's Reign, A.D. 1557, Sir N. Bacon, Lord Keeper, drew up a short Plan for reducing, ordering, and printing the Statutes of the Realm. The following are the Heads of this Plan:[1] "First where many Lawes be made for one Thing, the same are to be reduced and established into one Lawe, and the former to be abrogated.—Item, where there is but one Lawe for one Thing, that these Lawes are to remain in Case as they be.—Item, that all the Actes be digested into Titles, and printed according to the Abridgement of the Statutes.—Item, where Part of one Acte standeth in force and another Part abrogated, there should be no more printed but that that standeth in force.—The doing of these Things maie be committed to the Persons hereunder written, if it shall so please her Matie and her Counsell, and Daye wolde be given to the Committees until the First Daie of Michaelmas Terme next coming for the doing of this, and then they are to declare their Doings to be considered of by such Persons as it shall please her Matie to appoint." Then follow Lists of Twenty Committees of Four each, in which the Judges, Serjeants, Attorney and Solicitor General, &c. are named; One Judge, &c. and Three Counsel forming a Committee, to each of which it was proposed that a Title or Division of the Statute Law should be referred.

Jac. I. Sir F. Bacon.

The Subject was afterwards taken into Consideration, so far as related to the Penal Laws, at subsequent Periods in the Reign of the same Queen, viz. Anno 27, A.D. 1585.[2]—Anno 35, A.D. 1593.[3]—Anno 39 & 40, A.D. 1597.[4]—Anno 43, A.D. 1601.[5]—In the Proceedings in 1593 and 1597 Sir Francis Bacon took Part, and upon them he appears to have founded his Sketch, or Plan of a General Revisal of the Statute Law.[6]—King James the First, upon his Accession to the Throne of England, 1603-4, and in subsequent Periods of his Reign, recommended also to Parliament a Reform of all the Statute Law, and of the Penal Laws in particular.[7]

In the Year 1610 a Digest and Repeal of the Penal Law was expressly stipulated for by the House of Commons, and acceded to by the House of Lords, in their joint Transaction of the Great Contract with the Crown[8]; and in the same Reign Sir Francis Bacon, Lord C. J. Hobart, Serjeant Finch, Mr. Noy, and others, by the King's Command, made considerable Progress in the general Work of reforming and re-compiling the Statute Law, which Lord Bacon describes[9] as "An excellent Undertaking, of Honour to His Majesty's Times, and of good to all Times;" and recommends, in Imitation of the Statutes of 27 Hen. VIII. c. 15, and 3 & 4 Edw. VI. c. 11, for appointing Commissioners to examine and establish Ecclesiastical Laws, that Commissioners be named by both Houses for this Purpose also, with Power not to conclude, but only to prepare and propound the Matter to Parliament.

In the British Museum is preserved a Manuscript Volume[10] containing the Plan of an elaborate Report, particularising the several Statutes, from the Statute of Westminster the First, 3 Ed. I. to 7 Jac. I. 1609, then actually repealed or expired, and also the Statutes thought fit either to be absolutely repealed, or to be repealed and new Laws to be made in their Place. Possibly this may be the very Work spoken of by Sir Francis Bacon.[11] It is drawn up as by Authority, with detailed Reasons for every proposed Measure; but it is not signed by, or addressed to, any one. A Table is subjoined to it, exhibiting the Result of the Report.

Among the Papers of Mr. Petyt, in the Inner Temple Library,[12] is a Letter of Lord Bacon's, dated 27th February 1608, which shews that he had the Advantage of using for his proposed Plan a Manuscript Collection of the Statutes, made with great Labour by Mr. Michael Heneage, Keeper of the Tower Records, in Five large Volumes, which it is feared has been lost. Lord Bacon's Disgrace at the latter Period of the Reign of King James I. and the Distractions of the Government in what related to Parliament, were probably the Causes of the Failure of these Measures, and of the Silence that ensues respecting them in Parliamentary History.

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[1] MS. Harl. No. 249.
[2] Dewes's Journ. 345.
[3] Dewes's Journ. 469. 473.
[4] Dewes's Journ. 553.
[5] Dewes's Journ. 622.
[6] See the following Articles in Bacon's Works, viz. Epistle Dedicatory to Queen Elizabeth, prefixed to Elements of the Law;—Proposal for amending the Laws of England, to King James;—Offer to the King of a Digest: 4to Edit. vol. ii. pa. 326. 546. 547, &c.
[7] See Lords' Journals, i. 144. ii. 661. iii. 81. and Preface to Coke's Fourth Report.
[8] Lords' Journ. ii. 661.
[9] Vol. ii. 4to. 547.
[10] MS. Harl. No. 244.
[11] Vol. ii. pa. 546.
[12] Miscell. xvii. p. 279.

Usurpation. Whitelock and others.

During the Usurpation, the same Undertaking was resumed with Ardor. In 1650, a Committee was named, one of the Members whereof was Bulstrode Whitelock, then First Lord Commissioner for the Custody of the Great Seal: The Purpose was "to revise all former Statutes and Ordinances now in force, and consider as well which are fit to be continued, altered, or repealed, as how the same may be reduced into a compendious Way and exact Method, for the more ease and clearer Understanding of the People." And the Committee were empowered "to advise with the Judges, and to send for and to employ and call to their Assistance therein any other Persons whom they should think fit, for the better effecting thereof, and to prepare the same for the further Consideration of the House, and to make Report thereof."[1] But no such Report has been preserved.

In 1651-2, Matthew Hale Esquire, afterwards Lord Chief Justice Hale, Sir Anthony Ashley Cowper, afterwards Lord Shaftesbury, and Rushworth the Author of the Historical Collections, with other Persons out of the House, were appointed to report to the Committee their Opinions upon the Inconveniences of the Law; and a revised System of the Law was reported to the House in the Course of the same Year.[2] The same Labour was afterwards transferred to other Hands, but the Work was not abandoned; and in 1653 a Committee was appointed to consider of a new Model or Body of the Law.[3] But of this Committee no Proceedings are now discoverable.

Restoration. Finch, Maynard, and others.

After the Restoration, Finch, Solicitor General, afterwards Earl of Nottingham and Lord Chancellor, Serjeant Maynard, Sir Robert Atkins, Mr. Prynne, and others, were appointed in 1666, to be a Committee "to confer with such of the Lords, the Judges, and other Persons of the Long Robe, who have already taken Pains and made Progress in perusing the Statute Laws; and to consider of repealing such former Statute Laws as they shall find necessary to be repealed; and of Expedients for reducing all Statute Laws of one Nature under such a Method and Head as may conduce to the more ready Understanding and better Execution of such Laws."[4] This, however, was as ineffectual as any of the former Measures; and it is the last recorded Instance of the Interference of Parliament on the Subject, previous to those Proceedings which gave Rise to the Commissions under the Authority whereof the present Work has been executed.

Pulton's Plan.

The earliest Instance of the Exertions of any Individual, without the Sanction of Parliamentary Authority, towards making a Collection of Statutes from authentic Sources, appears to have been afforded by Pulton.—He was a learned Barrister, of great Age and Experience, and was employed for several Years in the Consideration of the Statute Law. He published two useful Books upon that Subject: first, an Abridgement of the Penal Statutes; and afterwards a Calendar or Abstract of all the Statutes in use, chronologically arranged; together with an alphabetical Abridgement of them, in the Manner of Rastall's Collection. He appears to have been encouraged and assisted in his first Work by Sir William Cordell, then Master of the Rolls, to whom it is dedicated; various Editions of this were published from 1560 to 1577. His Calendar, first published about 1606, is distinguished by the following Expression in the Title Page; viz. "*Editum per mandatum Domini Regis.*" But nothing else, either in the Book or elsewhere, has been found to confer any Marks of Royal Authority upon the Contents of the Book. After the Publication of these Works, without any Public Patronage or Recommendation beyond a Permission to use the Records, he conceived the Plan of copying from their original Records, and printing for general Use, all the Statutes supposed to be in force.

Catalogue A. *No.* 38, 44, 45.

This Plan it will be useful to state at Length: And this we are enabled to do by the Preservation of the Papers, containing his original Scheme, among Sir Robert Cotton's Manuscripts in the British Museum.[5] In one of these Papers the Design is set forth: It is indorsed, in a Hand frequent among the Cottonian Manuscripts, "Concerning Mr. Pulton's Suite;" and has no other Title, Mark, or Description at the Beginning or End; though by another Article referring to it, there is Proof of its Date being in or previous to 1611. "Mr. Poulton seeketh to print the Statutes at Large. He promiseth to set down which Statutes or Parts of Statutes are repealed, and which, being at the first but temporary, are since expired and void, because not revived. This he hath already done in his late Abridgment, for which he had a Recompence of the Printer. Now, to make this new Book at large saleable, he promiseth to print the Statutes first in the Language the same were first written; and such as were originally in French or Latin, he will translate and print likewise in English. Where the Statute has no Title, he will devise a Title out of the Body, and print it with the Statute. He will set down which Statutes are warranted by the Record, and which not. He will correct the printed Book by the Record. For which Purpose he requireth free Access at all Times to the Records in the Tower. Being very aged, viz. almost Fourscore, he desireth that for his Ease and better enabling in his Work, the Keeper of the Records within the Tower of London may every Day deliver unto him, when he shall so require, One Parliament Roll, to be by him and his Clerk perused and viewed, in a Lodging which he hath taken near unto the said Office; the same afterwards to be redelivered by them to the said Keeper thereof. That the Clerk do help, further, and assist him in this Service by all the Means he can."

[1] Commons' Journ. vi. 427.
[2] Commons' Journ. vii. 58, 74, 249, 250.
[3] Commons' Journ. vii. 304.
[4] Commons' Journ. viii. 631.
[5] MS. Cott. Titus B.V. p. 269.

Several Objections to the Prosecution of this Plan were made by Bowyer and Elsyng, Keepers of the Tower Records; among others, that they and their Predecessors had actually prepared Materials for the Work in question, and that they then had ready written Five Volumes of Statutes copied from the Records. These were perhaps the Volumes alluded to in Lord Bacon's Letter before mentioned.[1] The Dispute between the Parties was continued for some Time: But there remains among the Cottonian Manuscripts[2] a Draught of an Award for its Determination by Sir Robert Cotton himself, to whom they referred their Differences; and from a Paper in the British Museum, among the Manuscripts of Mr. Madox[3], it appears, that an Order of Council passed on the 24th October 1611, granting Licence to Pulton to have the Use of the Records in the Manner asked. It recites that he undertook the Work by Persuasion of the Judges and others learned in the Laws, and requires the Keepers of the Records, on account of the Importance of the Work, and for the Benefit of the Learned, to assist and further him all they can.

Catalogue, A. *No.* 47. Pulton lived to publish this proposed Edition in 1618; which is the Work already spoken of as Pulton's English Statutes. In his Preface, after noticing the Redundancies of former Editions, containing Subsidy Acts and other Acts "expired, repealed, altered, and worn out of Use," and his Intention to publish such only "which be now in Life, Force, and general Use," he gives the following Statement of the Means he had employed in compiling his Collection.

"First, with as great Means, Care, and Industry, as possibly I could use, so many of the old Statutes heretofore printed in the English Tongue, made and published in the Reigns of the first Ten Kings (accounting from 9 of Hen. III. unto 1 of Ric. III. inclusive), as be chiefly in Use and Practice, and which are the Foundation of Proceedings both legal and judicial, have been by me truly and sincerely examined by the original Records thereof remaining in the Tower of London; and the Residue with the Register of Writs, being the most antient Book of the Law, the old and new Natura Brevium, the Books of Entries, the Books of Years, and Terms of the Law; the best approved, printed, and written Books; and by all such other Circumstances as might best give Probability of Truth unto the Learned. By reason whereof, the foresaid Defects, Imperfections, and Emblemishments being reformed in this Edition, as it is a Collection of the most usual Laws, gathered from out the grand Codex of all the Statutes, so it may serve as a Correction to the former Impressions."

The Defects of Pulton's Publication, as a general Collection of Statutes, are chiefly these: 1st. As to the Statutes preceding Henry VII. it is a Translation in English, and does not exhibit the Text in the original Language of the Records, as might have been expected from his Proposal: 2dly. Though it had the Permission, it had not the Authority of the King, by whom all Acts of Legislation are to be communicated to the Subject; and was only the private Work of an Individual for his own Benefit: 3dly. It is a partial Selection of such Statutes as in the Judgement of the Author, were fittest to appear in his Book; their Authority and Use, whether in force or repealed, depending on his Opinion: 4thly. It is not, nor does it purport to be, a correct and examined Copy from the Original Records, of all those Acts which are given at large; but of such only as the Author thought necessary so to examine and correct: And it is left uncertain, which, and how many of them, were taken from printed or written Books. It has, therefore, though in a less Degree, the same Faults as all the Collections and Editions of Statutes printed before; and it was particularly unfortunate that the Author did not execute that Part of his Proposals which made their greatest Merit, namely, the giving an accurate Copy of the Original Text of the antient Statutes from the Record.

These Objections are no less applicable to the Editions by Hawkins and Cay, as falling short of the Character of a complete and authentic Collection of the Statutes. They professed indeed to have copied their Text from original Records, or other Manuscripts, in Latin and French; but by printing some Statutes, and parts of Statutes, with the Translation, and some without it, and giving only a Translation of others, they have rendered their Editions liable to still further Objections, for which no subsequent Editor has hitherto attempted to offer a Remedy.

From the preceding Statement, the Necessity and Use of an Authentic Publication of the Statutes of the Realm will appear: for, although the Defects of all former Collections have been long complained of by learned and eminent Men, and although various Propositions have been offered at different Times, for an Authentic Publication of the Statutes, none such has yet been executed. At length, however, a Select Committee, appointed by the House of Commons of Great Britain in the Year 1800, to enquire into the State of the Public Records of the Kingdom, having reported upon this Branch of the Matters referred to their Consideration, that in their Opinion, it was "highly expedient for the Honour of the Nation, and the Benefit of all His Majesty's Subjects, that a complete and authoritative Edition of all the Statutes should be published;" in pursuance of their Recommendation the present Work has been undertaken and executed; under the Authority and Direction of Commissioners specially appointed by His Majesty to carry into Effect the several Measures which were by that Committee recommended to the Attention of Parliament.

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[1] See page xxvi. note 12. [2] Vesp. F. IX. pa. 279. [3] Miscell. Vol. 94. No. 4572. Plut. 19 C. pa. 82.

CHAP. II.

Of THE CHARTERS *prefixed to this Collection of The Statutes.*

A SERIES of the CHARTERS OF THE LIBERTIES OF ENGLAND is prefixed to this Collection of The Statutes: namely, CHARTERS OF LIBERTIES; 1 Henry I. A. D. 1101: 1 Stephen A. D. 1136: Of Stephen and Henry II. without Date: CHARTER for free Elections in Churches; 16 John A. D. 1214: ARTICLES or Heads of Magna Carta; 17 John A. D. 1215: MAGNA CARTA; 17 John A. D. 1215: 1 Henry III. A. D. 1216; A. D. 1217[1]: 9 Henry III. A. D. 1224-5: 36 Henry III. A. D. 1251-2: CARTA DE FORESTA; 2 Henry III. A. D. 1217: 9 Henry III. A. D. 1224-5: And CHARTERS confirming Magna Carta and Carta de Foresta; 21 Hen. III. A. D. 1236-7: 49 Hen. III. A. D. 1264-5: 25 Edw. I. A. D. 1297: 28 Edw. I. A. D. 1300: 29 Edw. I. A. D. 1300-1.[2]

MAGNA CARTA and CARTA DE FORESTA, granted in the 9th Year of King Henry III. have, in every Collection of Statutes which contained the Statutes previous to 1 Edw. III. been printed as the first in Order. In all Editions previous to Hawkins's, they were printed as from Charters of Inspeximus of 28 Edw. I: By Hawkins and subsequent Editors they were printed from the Charter of Inspeximus entered on the Statute Roll of 25 Edw. I: But in no Edition hitherto have they been printed immediately from any Charter of 9 Hen. III; and it is not known that any Statute Roll of that Date ever existed. In the present Collection, these Charters are inserted according to their place in the above Series, and are printed from Charters under the Great Seal: They are also printed again amongst the Statutes 25 Edw. I. from the Entry on the Statute Roll of that Year, being the earliest Parliamentary Record upon which they have been found.

For the Purpose of examining all the Charters, and Authentic Copies and Entries thereof, and also of searching for antient Copies and Entries of Statutes, and Instruments not now to be found on the Statute Roll, Two Sub-Commissioners were employed during the Summer of 1806, in making a Progress through England and Ireland to every Place where it appeared from the Returns to the Record Committee of 1800, or from other Intelligence, that any such Charters, Copies, or Entries were preserved: And Searches have been made successively at every Cathedral in England which was known to possess any such Charters, Copies, or Entries; and also at the Universities of Oxford and Cambridge; at Trinity College Dublin; at the Courts of Exchequer, and other Public Offices in Dublin; and wherever else Information could be obtained on the Subject. The Result, so far as relates to the Charters, may be thus briefly stated.

In Rochester Cathedral is preserved the *Textus Roffensis*: This is a Chartulary, or Collection of Charters and Instruments, compiled by Ernulf, who was Bishop of Rochester from A. D. 1115 to A. D. 1125. In this Chartulary is an Entry of the Charter of Liberties, granted in the First Year of King Henry I. A. D. 1101[3].

In Exeter Cathedral is preserved an Original Charter granted in the First Year of King Stephen A. D. 1136. 'De libertatibus Ecclesie Anglie & Regni.'

In Canterbury Cathedral are several Chartularies or Registers of very antient Date. In these are entered the Charter of King Stephen, of which an Original is in Exeter Cathedral, and the Charter of King John, granted in the Sixteenth Year of his Reign, for free Elections of Prelates, &c. in Churches and Monasteries.

In Lincoln Cathedral, an Original of the Great Charter of Liberties, granted by King John in the Seventeenth Year of his Reign, is preserved in a perfect State. This Charter appears to be of superior Authority to either of the Two Charters of the same Date, preserved in the British Museum. From the contemporary Indorsements of the Word *Lincolnia* on Two Folds of the Charter, this may be presumed to be the Charter transmitted by the Hands of Hugh the then Bishop of Lincoln, who is one of the Bishops named in the Introductory Clause; and it is observable that several Words and Sentences are inserted in the Body of this Charter, which in both the Charters preserved in the British Museum, are added, by way of Notes for Amendment, at the Bottom of the Instrument.

In Durham Cathedral, several Charters of the Liberties of England are preserved with great Care; namely Magna Carta 12 Nov. 1 Hen. III.—Carta de Foresta 2 Hen. III.—Magna Carta and Carta de Foresta 9 Hen. III. The Carta de Foresta 2 Hen. III. is the earliest Charter of the Forest; the Original and all Authentic Records of which were supposed by Blackstone to be lost[4]. It is remarkable that in this Original is inserted a Clause which occurs in an Entry of this Charter on a Roll, formerly belonging to the Abbey of Hales Owen in Shropshire, communicated to Blackstone by Lord Lyttelton[5]; and which is not inserted in the Carta de Foresta 9 Hen. III.

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[1] It is not ascertained whether this Charter was granted in the First or Second Year of the Reign of Hen. III. See Blackstone's Charters, Introd. 4to. pa. xxxviii—xl.: 8vo. pa. lix—lxiii. A Manuscript, No. 70. in Benet College Library Cambridge, attributes this Charter positively to the first Year.

[2] *See more fully* THE TABLE *prefixed to* THE CHARTERS; *specifying the Original or Entry from which each Charter is respectively printed, and the Place where such Original or Entry is preserved.*

[3] Of this Charter two antient Copies are entered in the Red Book of the Exchequer at Westminster; a Copy in MS. Cott. Claud. D. II. is comparatively modern and very incorrect.

[4] See Blackstone's Charters, Introd. 4to Edit. pa. xlii;—8vo Edit. pa. lxv.

[5] De boscis autem aliorum nullum detur chiminagium foristariis nostris preterquam de dominicis boscis nostris. See Blackstone's Charters, 4to. pa. xlviii. Note *w*:—pa. li. Note *z*.—8vo. pa. lxxiv. and lxxviij.

A Charter of the Date of 12 Nov. 1 Hen. III. was transmitted to Ireland; and an Entry thereof is preserved in the Red Book of the Exchequer at Dublin.

In several other Cathedrals are Chartularies, Registers, or Collections, of antient Date, containing Entries of the Great Charters and Charters of the Forest. The most valuable of these are at York, Gloucester, and Christ-Church, Dublin.

The Magna Carta of 9 Henry III. under Seal, from which Blackstone printed a Copy in his Edition of The Charters, and which he suggests was the Charter designed for the Use of the Knights or Military Tenants of Wiltshire, is still preserved by the Family of the Talbots, of Lacock Abbey, in that County.

In the Bodleian Library at Oxford are Magna Carta A. D. 1217; and the Charters of Confirmation 21 Henry III; and 29 Edward I.

In the British Museum is the Original of the Articuli Magne Carte under the Seal of King John, from which Blackstone printed the Copy in his Edition of the Charters. Two of the Great Charters of King John, one of 36th Henry III., and the Charter of Confirmation granted by King Edward I. at Ghent, in the 25th Year of his Reign, are also preserved in the same Repository.

On the Statute Roll of 25 Edward I. are entered Charters of Inspeximus of that Date, reciting and confirming Magna Carta and Carta de Foresta of 9 Henry III. Entries of similar Charters dated 28 Ed. I. are made on the Charter Rolls of that Year; the only Difference between these several Charters of Inspeximus is that those of the 25th Year are tested by the King's Son, and those of the 28th by the King himself. Original Charters of Inspeximus of these respective Dates, agreeing with the Entries on the Statute and Charter Rolls, are still in Existence. Of these Charters one of 25 Edw. I. confirming Magna Carta, is in the Town Clerk's Office London. Others of 28 Ed. I. confirming Magna Carta are in the same Repository, as also in Durham Cathedral, Westminster Collegiate Church, Oriel College Oxford, and in the Town Clerk's Office at Appleby in Westmoreland. Others of the same Date, confirming Carta de Foresta, are in Durham Cathedral, and Oriel College Oxford.

From these Materials, and others previously obtained, Transcripts and Collations were made and accurately examined by the Sub-Commissioners. The Text of the several Charters inserted in the present Collection is printed from these Transcripts; an attentive and strict Collation of the printed Text with the Transcript, has been made by one of the Sub-Commissioners, who himself assisted in making the Transcript, and in examining it with the Original; and where an engraved Copy has been made of any Charter, the printed Text has also been collated with such engraved Copy.

This Collection of Charters will be found to differ from Blackstone's Edition of the Charters, and other printed Copies in the following Particulars: First, In exhibiting a complete Series of the Charters of Liberties, granted by the Kings of England; in which their Original and Progress may be traced until their final and complete Establishment in the Twenty-ninth Year of King Edward I.—Secondly, In affording in every Instance a faithful Transcript from Original Charters or Entries thereof; in Characters representing the Manuscript with its Contractions or Abbreviations,[1] so far as the same could be accomplished by Printing Types: Engraved Fac-Similes are also subjoined, which have been made with great Care and Attention from several of the Charters, namely; the Charter of Liberties granted by Stephen, in Exeter Cathedral; the Articuli Magne Carte of John, in the British Museum; the Magna Carta of John, in Lincoln Cathedral; the Carta de Foresta, 2 Hen. III. and the Magna Carta 9 Hen. III. in Durham Cathedral; the Entry of the Charter of Confirmation 21 Hen. III, on the Charter Roll of that Year in the Tower of London; and the Charter of Inspeximus 25 Edw. I. in the Town Clerk's Office, London.—Thirdly, In inserting the Stops or Points which Blackstone omitted, but which are justified by the Originals, and which are material to the Sense; and in avoiding many Errors, which had crept into all prior Editions, even that of Blackstone himself, in consequence of the Transcripts and Examinations being intrusted, at different Places, to different Persons not all equally competent to the Task, and from the Collation of unauthenticated Manuscript Copies supposed to be of a Date much more antient than in Truth they are.[2] Fourthly, In inserting Charters not before printed, viz. 1. The Charter of the Sixteenth Year of King John, for the free Election of Prelates, &c. which is particularly adverted to in the Magna Carta granted by that King: 2. The First Charter of the Forest, granted in the second Year of Henry III. now preserved in Durham Cathedral; the Existence of which escaped the Researches of Blackstone: 3. The Confirmation Charter of 36 Hen. III, which accounts for some Alterations in the Charters of Inspeximus and Confirmation of Magna Carta granted by Edward I: 4. The Charter of Inspeximus and Confirmation of Magna Carta 25 Edw. I. from the Original preserved in the Town Clerk's Office London; being of the same Date as that entered on the Statute Roll: The Authenticity of this last mentioned Charter is evinced peculiarly by the Writ which is annexed to it; and no other such Original Charter of this Date is now known to exist: 5. The Charter of Inspeximus and Confirmation of Magna Carta 28 Edw. I; And, 6. The Charter of Inspeximus and Confirmation of Carta de Foresta 28 Edw. I; both from the Charter Roll of that Year in the Tower of London. From the Charters of Inspeximus 25 & 28 Edw. I. as entered on the Statute and Charter Rolls, Blackstone gave only Various Readings as Notes to the Charters of 9 Hen. III; but did not print the Charters themselves at length.

[1] *An Explanation of the Contractions is given in a Table in Appendix D.*

[2] The Entry of Magna Carta A. D. 1217, in the *Liber Custumarum*, in the Town Clerk's Office, London, is said by Blackstone to be written by a contemporary Hand: See Blackstone's Charters, Introd. 4to Edit. pa. xxxviii.—8vo. pa. lix. But the Book affords internal Evidence that this Entry was certainly not made before 14 Ed. II. A. D. 1320.

CHAP. III.

SECT. I.—*Of the Matters inserted in this Collection of* THE STATUTES; *and their Arrangement.*—SECT. II. *Of the Sources from whence the several Matters have been taken.*—SECT. III. *Of the Mode used in searching for, transcribing, collating, noting, and printing the Text of the Statutes.*

SECT. I.

Of the Matters inserted in this Collection of the Statutes; and their Arrangement.

1. ALL INSTRUMENTS whatever, comprehended in any of the several Collections of Statutes printed previous to the Edition by Hawkins, are inserted in this Work; these having for a long Series of Years been referred to, and accepted as Statutes in Courts of Law: Together with these are inserted all Matters of a public Nature, purporting to be Statutes, first printed by Hawkins or any subsequent Editor; and also New Matters of the like Nature, contained in any Statute Rolls, Inrollments of Acts, Exemplifications, Transcripts by Writ, and Original Acts, although not heretofore printed in any general Collection of Statutes. All these are placed in the BODY of the Work as TEXT. But it is to be particularly observed, that any Decision upon the Degree of Authority to which any new Instrument may be entitled, as being a Statute or not, is entirely disclaimed.

At the Foot of the Text in each page, there are added, such VARIOUS READINGS as appeared necessary to correct its Errors, or to supply its Deficiencies;[1] or to reconcile any material Contradiction or Repugnancy between the Text and the Translation; or between different Copies of the Text, where they were of equal or of nearly equal Authority. In the earlier Reigns, or in the Absence of any Authentic Source for the Text, such Various Readings are noted with much greater Freedom than in later Times, or where Authentic Sources exist. Writs and other Instruments, having direct or material Reference to the several Statutes, are occasionally subjoined by way of NOTES. These Various Readings and Instruments are taken from the following Sources: Inrollments of Acts; Exemplifications; Transcripts by Writ; Original Acts; Rolls of Parliament; Close, Patent, Fine, and Charter Rolls; Books containing Entries of Record; Antient Books and Manuscripts not of Record, but preserved in the Repositories of Courts of Justice, and Corporation Offices; or in the Libraries of Cathedrals, Universities, Colleges, or Inns of Court, and at the British Museum: Various Readings have been also admitted from the Printed Editions; occasionally in Confirmation of the Manuscript Sources, and more frequently in Cases where those Sources have been found deficient.

Every Thing heretofore printed in any former Collection of Statutes, is in this Volume printed in an uniform Type; and all new Matters, whether Various Readings, Notes, or entire Statutes or Instruments, are distinguished by a smaller Type. The entire Matters whether old or new, of which the Dates are ascertained, are placed in Chronological Order; and all, during the Reigns of Hen. III. Edw. I. and Edw. II., the Dates of which are uncertain, are classed together, after the Manner of former Editions, at the End of the Reign of Edward II.

A compleat Enumeration of all Matters included in this Collection, whether as Text or in the Notes, is exhibited in a general CHRONOLOGICAL TABLE OF CONTENTS prefixed to the Body of the Statutes; specifying the Source or Authority, from whence the Text, Notes, and Various Readings are respectively taken.

2. OTHER MATTERS of a Parliamentary Form and Character have been recognized at different Periods of our History, as appearing to have Legislative Authority. It has been observed by Lord Coke, that "Acts of Parliament are many times in form of Charters or Letters Patent;"[2] and many such have been inserted in all Editions of the Statutes: and that there are "many Acts of Parliament that be in the Rolls of Parliament and never yet printed:"[3] In the Report also of the Select Committee of the House of Commons, in the Year 1800, upon the Subject of the Public Records, it is stated, that many Statutes and Ordinances in the Rolls of Parliament are not inserted in the Printed Statute Books; And it is certain that many Acts and Matters not found on any Statute Roll, nor contained in any printed Editions of the Statutes, are found on the Parliament Rolls, which appear to have received the threefold Assent of King, Lords, and Commons, or to have such Qualities, as have been allowed by Courts of Law to imply that Assent.[4]

With a View therefore to a Consideration of the Question, whether Matters of this Nature should be comprehended in the present Work, Lists of a great Number of them were prepared, not only from the Parliament

[1] Many Instances of Errors and Deficiencies exist even in the Statute Roll; it may be sufficient to quote the Clause in Chapter 5, of the Statute Westminster the Second, respecting Damages in Writs of Darrein Presentment and Quare Impedit: In this Clause, the Words which give the Patron damages to the Amount of Two Years Value of the Church, in case of lapse to the Bishop, by reason of the disturbance of the Presentation, are omitted on the Roll. In Chapter 28 of the same Statute, the Statute of *Gloucester* is quoted instead of the Statute of Westminster the First. See pa. 77, note 6—8; and page 85, note 5 of the Statutes in this Volume.

[2] 2 Inst. 525; and see also the Prince's Case 8 Rep. 13, throughout. The Creation by Edward III. of his eldest Son to be Duke of Cornwall, was by the King's Letters Patent, dated at Westminster 17th March, in the 11th Year of his Reign, and therein recited to be "de cõi assensu & consilio Prelatoꝝ, Comitũ, Baronũ, & alioꝝ de consilio nr̃o in p̃senti pliamento nr̃o apud Westm̃ die Lune p̃x post festũ Sc̃i Mathie Ap̃li p̃x p̃terito convocato, existenciũ."—The Parliament Roll of that Year is not now known to exist; But the Letters Patent are inrolled on the Charter Roll of that Year, m. 28. nu. 60: Other Letters Patent relating to the Duchy and its Rights, dated at Westminster, 18th March in the same Year, are entered on the same Charter Roll m. 26. nu. 53: and others dated at the Tower of London, 3 January in the same Year, m. 1. nu. 1. of the same Roll.—These Letters Patent are briefly recited in Rot. Parl. 5 H. IV. nu. 22. and fully in Rot. Parl. 38 Hen. VI. nu. 29.—For other antient Grants relating to the Duchy, See Rot. Cart. 11 Edw. III. m. 7. nu. 14: m. 1. nu. 1: and 16 Edw. III. m. 1. nu. 1.

[3] 4 Inst. 50; and see also Co. Litt. 98, a. b; and the Year Book 7 Hen. VII. 14, 15, 16.

[4] On the Trial of the Earl of Macclesfield in 1725, before the House of Lords, on an Impeachment for Extortion in his Office of Chancellor, the Entry in Rot. Parl. 11 Hen. IV. nu. 28. of the Petition of the Commons, "that no Chancellor, Judge, &c.

Rolls, but also from other Records, particularly the Close Rolls and Patent Rolls, which were examined for the Purpose with great Care and Diligence, and Transcripts and Collations of many of them were made for the Examination of the Commissioners. In the Progress of this Labour, however, it appeared that the Matters which came within the Description above mentioned, were so numerous, that the indiscriminate Insertion of all of them would constitute a Mass, the very Bulk of which would prove inconvenient. But, what was of still greater Importance, upon Examination it became with respect to many of them, a Subject of Discussion, from which no certain Conclusion could be derived, to what Extent they had in fact received Sanction, and whether therefore they were, in any Degree, entitled to be considered as of Legislative Authority.[1] It was obvious, at the same Time, that to have made a Selection only of such Matters as in the Opinion of the Commissioners were the least doubtful, was in Effect encountering the same Difficulty only in a smaller Degree; and the Sources, from which they were to be taken, not being in themselves conclusive Evidence,[2] that the Matters contained in them were Statutes, the Selection in each Instance necessarily could be nothing more than the Result of private Judgment; without the Authority of that "general received Tradition," which, as Lord Hale observes,[3] attests and approves those Statutes which are not properly extant of Record.

Acts also which received the Royal Assent, and which were entered only on the Parliament Roll, and not on the Statute Roll, have been frequently termed ORDINANCES; and various Distinctions have ineffectually been attempted to be made between an Ordinance and a Statute, with regard to the Nature and Validity of each respectively:[4] But whatever has at any Time been written on this Subject is contradictory and indistinct; and in the Reign of Charles I, the Information on this Point, then of some Importance, appears to have been very unsatisfactory.[5]

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should take any Gift or Brocage for doing their Office," to which the King's Answer, "Le Roi le veut" is subjoined, was produced in Evidence on the part of the Managers of the Impeachment, as a Statute, or public Act of Parliament, although not entered on the Statute Roll; and it was also urged in Argument, as "common Learning," that the Parliament Roll was the Voucher to the Statute Roll. See State Trials, Vol. VI. 760. the Earl of Macclesfield's Case; and 3 Inst. 146, 224, 225, where this Entry is printed at length, and considered by Lord Coke as an Act of Parliament. See also the Argument on the Jurisdiction of Chancery annexed to Vol. I. of Reports of Cases in Chancery, where the necessity and propriety of consulting the Petition and Answer, or the Entry thereof on the Parliament Roll, as the Warrant for the Statute Roll, is much insisted on, upon the Authority of Sir Francis Bacon, and other eminent Lawyers; with Reference to the Statute 4 Hen. IV. cap. 22. In Rot. Parl. 10 Hen. VI. nu. 20. is a Petition of the Commons, for settling the Payment of the Fees and Salaries of the King's Justices, Serjeants, and Attorney, to which is subjoined the King's Answer, "Fiat prout petitur:" In the oldest Abridgements of the Statutes, Title 'Justices,' this is abridged as an Act of 10 Hen. VI. and called 'Statutum per se;' and the Abridgement is copied into Rastall's Collection, and it is there noted that "this is not in the printed Book of Statutes:" The whole is inserted in Cay's Edition of the Statutes, as Stat. 2. of 10 Henry VI. It is observable also, that the Statute 25 Edw. III. 'pro hiis qui nati sunt in partibus transmarinis' pa. 310 of the Statutes in this Volume, is in the Old Abridgements called 'Statutum per se:' and that in those Abridgements, Title 'Excommengement,' reference is made to an Instrument cited in the earlier Editions as of 9 Ed. III. and in later Editions, as of 8 Edw. III. called 'Ordinatio per se' whereby Writs were ordained for excommunicating disturbers of the Peace of the Church and the Realm. In the later Editions, it is alleged that such Writs were framed on a Statute 5 Ed. III. st. 2. c. 1.: Rastall in the early Editions of his Collection, quoting these Abridgements, adds, "But I cannot find anie of these Statutes." See further Rot. Parl. 35 Edw. I: 5 Edw. II: 14 Edw. II. nu. 5, 33: 5 Edw. III. nu. 3, 5, 6: 6 Edw. III. P. 2. nu. 3: 14 Edw. III. P. 2: 20 Edw. III. nu. 11, 45: 25 Edw. III. nu. 10, 16: 28 Edw. III. nu. 13: 36 Edw. III. nu. 35: 38 Edw. III. nu. 9: 40 E. III. nu. 8: 42 Edw. III. nu. 9: 46 Edw. III. nu. 13, 43: 2 Ric. II. nu. 62: 3 Ric. II. nu. 39: 6 Ric. II. nu. 53: 8 Ric. II. nu. 31: 20 Ric. II. nu. 29: 5 Hen. IV. nu. 22, 24, 41: 8 Hen. IV. nu. 36: 11 Hen. IV. nu. 23, 63: 6 Hen. V. nu. 27: 8 Hen. VI. nu. 27: 9 Hen. VI. nu. 24: 33 Hen. VI. nu. 43: 38 Hen. VI. nu. 29: and very many other Articles, all of which appear to have the same qualities as those of 11 Hen. IV. nu. 28. and 10 Hen. VI. nu. 20. above particularly noticed. See also the Instances quoted, post, page xxxvii, note 4. In the Old Report of Statutes from 3 Edw. I. to 1 Jac. I. MS. Harl. No. 244. mentioned in Page xxvi of this Introduction, the Instrument intituled Articuli de Moneta, usually ascribed to 20 Edw. I. is considered as a Proclamation not as a Statute; and this and some other Instruments classed among the antient Statutes are reported therein as fit to be repealed, on account of the uncertainty of their Validity as Statutes.

[1] For a Statement of the Difficulties upon the Terms Concilium, &c. as descriptive of Parliament in the early Records, according to the Doctrine laid down in the Prince's Case, 8 Rep. 20, 2 Inst. 267, and elsewhere, see Prynne's Plea for the Lords and House of Peers, Sect. 2, and Prynne, first Part of an Historical Collection of the Antient Parliaments of England; Lord Hale's Treatise of the Jurisdiction of the Lords House of Parliament, Hargrave's Edit. Chapter III; and Luders, Tract. IV. published in 1810.

[2] See Pa. xxxvii, and Note 4 there.

[3] Hale H. C. L. ch. 1. *ad fin.* And in the Prince's Case 8 Rep. 20 b, it is said, upon the alleged authority of 7 Hen. VII, 14 a, b, and 34 Edw. III, 12, "multa sunt statuť, que scribunť, domiñ Rex statuit; si tamen Rotulo Parliamentario intrentur *et semp' ut Act' Parliament' approbentur*, intendetur hæc authoritať Parliamenti fuisse."

[4] See Co. Litt. 159 b. and the Note thereon in the last Edition: and 4 Inst. 25.

[5] In the British Museum are Two Copies, Donation Manuscripts, N° 4489 and 5668, of a Manuscript Treatise entitled 'Expeditionis Billarum Antiquitas,' drawn up apparently by Elsyng, who was Deputy Clerk of the Parliaments in 1620, and for several Years afterwards. See also MSS. Harl. 305, 4273, 6585. This Work professes to give an historical Account of the antient Mode of passing Bills in Parliament: It appears from internal Evidence to have been written between 1628 and 1640, and to have been designed as a Second Part of the Treatise on Parliaments. It is vouched throughout by reference to original Petitions and Rolls of Parliament, from 4 Edward III. the earliest known to the Writer to exist, to 27 Hen. VI. In this Treatise, the Form and Validity of Ordinances, as distinguished from Statutes, are stated much at length; and amongst other Things it is asserted that an Ordinance cannot make New or Permanent Law, nor repeal any Statute, but that temporary Provisions consistent with the Law in force, may be made by way of Ordinance; and that an Ordinance may be repealed by a subsequent Ordinance without Statute. See Rot. Parl. 21 Edw. III. nu. 13, 47, 52; 22 Edw. III. nu. 20, 21; 37 Edw. III. P. 1. nu. 37, 38, 39; 45 Edw. III. nu. 24, 25, 37, 40; that the King did forbear to grant those Petitions which demanded Novel Ley, when he had no Intent to make a Statute. See also Rot. Parl. 22 Edw. III. nu. 30, that the Laws had and used in Times past could not be changed without making thereon a New Statute: and see Rot. Parl. 11 Hen. IV. nu. 63, 13 Hen. IV. nu. 49, that Ordinances of Parliament which introduced Novel Ley were not of any Force. In the Parliament 37 Edw. III. it was precisely demanded by the Chancellor, whether the Matters then agreed on, being new and not before known or used, should be granted by way of Ordinance or Statute, and that of Ordinance was preferred by the Parliament, for the Purpose that if any Thing were to be amended it might be amended at the next Parliament: The Ordinance was accordingly entered on the Back of the Parliament Roll, and was termed an Ordinance in the subsequent Parliament. It is very remarkable, however, that this Ordinance is also entered on the Statute Roll, and has always been received as a Statute of this Year; that Penalties inflicted by former

From these Considerations therefore, upon mature Deliberation, it has been deemed advisable that this Collection should include all such Instruments as have been inserted in any general Collection of Statutes printed previously to the Edition by Hawkins; with the Addition, only, of such Matters of a public Nature, purporting to be Statutes, as were first introduced by him or subsequent Editors, and of such other New Matters of the like Nature, as could be taken from Sources of Authority not to be controverted; namely, Statute Rolls, Inrollments of Acts, Exemplifications, Transcripts by Writ, and Original Acts.

In the 31st Year of Henry VIII. the Distinction between PUBLIC ACTS and PRIVATE ACTS is for the first Time specifically stated on the Inrollment in Chancery.[1] No Private Acts passed after that Date have been admitted into this Collection: It has been thought sufficient to notice them, by the Insertion of their Titles only.

SECT. II.

Of the Sources from whence the several Matters have been taken.

I. THE SOURCES from which the Materials have been taken for this Collection, are necessarily of a different Character and Description in different Periods of our History.

The earliest Statutes contained in the several Collections are those of Henry III; but no Parliamentary Record of Statutes is now known to be extant, prior to the Statute Roll 6 Edw. I. To this interval nevertheless belong the Statutes of Merton, Marlborough, Westminster the First, and several others, always included in the Printed Editions. For this early Period, therefore, Recourse must be had to inferior Sources for the Text of our Statute Law: And even in subsequent Times, there is not only an Interruption in the Series of Statute Rolls, namely, after 8 Hen. VI, until 23 Hen. VI, inclusive, during which the like Recourse must be had to Sources of an inferior Degree of Authority; but the Statute Rolls themselves do not, within their own Period, contain all the Instruments which have been acknowledged as Statutes. After 8 Edw. IV. the Statute Roll is not preserved; after 4 Henry VII. it ceased to be made up; and ultimately it was succeeded, for practical Purposes, by the Inrollment in Chancery;[2] though during a short Period the Statute Roll and the Inrollment appear to have been contemporary.

The Materials for the several Periods during which no Statute Rolls or Parliamentary Records exist, can only be collected from Records, on which Copies or Extracts of Statutes have been entered; or from other Manuscripts not of Record; or, in Default of other Authority, from the oldest Printed Editions in which such Matters were first inserted. With respect to Entries of Record, in these Periods, That has been judged to be the most authentic Evidence of a Statute, which has been preserved as a Record or authentic Copy from antient Times, in the Custody of the highest Courts authorized for that Purpose. Such are Copies or Extracts of particular Statutes found in the Close, Patent, Fine, and Charter Rolls, being Records of Chancery. Such also are the Red Books of the Exchequer of Westminster, and Dublin. On Failure of these Records, Recourse has, of Necessity, been had to Manuscripts not of Record, preserved in the Custody of Courts of Justice, Public Libraries, or other Public Repositories. Such are some antient Books of Statutes in the Exchequer at Westminster, in the Town Clerk's Office, London, in the several Cathedrals, in the Public and other Libraries of the several Universities of Oxford, Cambridge, and Dublin, and in the British Museum: When all these Sources have proved deficient, and in such Case only, a Copy has been admitted, from the oldest Printed Edition, with Various Readings from subsequent Printed Editions.

During the Periods in which Statute Rolls or other Parliamentary Records do actually exist, the Authentic Evidence of Statutes, (and of other Proceedings in Parliament, before the Commencement of the Journals,) must be searched for upon Statute Rolls; Inrollments of Acts; Exemplifications of such Statute Rolls or Inrollments; Transcripts by Writ into Chancery for the Purpose of such Exemplifications; Original Acts; and Rolls of Parliament.—These are the only Authentic Sources from whence, during those Periods, a Knowledge can be obtained of the different Occurrences in Parliament, whether important or minute. With the Exception of some Rolls containing Proceedings in Parliament from 18 to 35 Edw. I, which are in the Chapter House at Westminster,

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Statutes were repealed by it; and that Words of Enactment for Statute are expressly used therein. See Rot. Parl. 37 Edw. III. Part 1. nu. 38, 39: 38 Edw. III. nu. 11: 1 Ric. II. nu. 15; Rot. Stat. 37 Edw. III. m. 5, 6: 38 Edw. III. m. 6 d: Chapters 16 and 19 of the Statute 37 Edw. III; and Chapter 2 of Stat. 38 Edw. III. Stat. 1. as printed in pages 378, 382, 383, of the Statutes in this Volume: and further, Rot. Parl. 38 Edw. III. nu. 9, and the Ordinances there recited, which were entered on the Statute Roll, and are printed as a Statute of that Year in all Editions, and in page 385 of this Volume. See also Prynne's Irenarchus Redivivus, p. 27, &c. in which, contrary to Lord Coke's Authority, 4 Inst. 25, he lays it down that Ordinances and Acts of Parliament were one and the same.

In Clarendon's History of the Rebellion sub. an. 1641-2, Vol. I. Part. II. page 431. (8° *Edit. Oxford* 1707.) it is stated that "An Ordinance for settling the Militia was agreed on by both Houses, and sent to the King for his Approbation."—The Form of the Ordinance follows: It is entitled, "An Ordinance of both Houses of Parliament for the ordering of the Militia," &c.—After a short Preamble the formal Words are, "It is ordained by the King the Lords and Commons now in Parliament assembled, That," &c.—In the first answer which the King sent, he said "that to avoid all future doubts and questions, he desired it might be digested into an Act of Parliament rather than an Ordinance; so that all his Subjects might thereby particularly know, both what they were to do and what they were to suffer for their neglect." pa. 437, 8.—Afterwards the King in answer to a Petition presented by the Commons says, "For the Militia - - - - we never denied the thing - - - we only denied the way. You ask it by way of Ordinance - - - we tell you we would have the thing done - - - but desire a Bill, the only good old way of imposing on our Subjects. We are extremely unsatisfied what an Ordinance is, but well satisfied that without our Consent it is nothing nor binding." pa. 70.—A Bill was afterwards prepared by the King's Order, and submitted to both Houses, who made several Alterations in it.—In the King's Message, refusing the Royal Assent to the Bill so altered, his Majesty told them "he was pleased they had declined the unwarrantable course of their Ordinance, to the which he was confident his good Subjects would never have yielded their Consent, and chosen that only right way of imposing upon the People." pa. 503. In the King's Declaration in answer to that made by the two Houses, whereby they assumed the Power of the Militia, "He said it was true that he had, out of tenderness of the Constitution of the Kingdom, and care of the Law, which he was bound to defend, and being most assured of the unjustifiableness of the pretended Ordinance, invited and desired both Houses of Parliament to settle whatsoever should be fit of that Nature by Act of Parliament." pa. 524.

[1] *See Appendix E. subjoined to this Introduction.*

[2] See post page xxxv. as to Inrollments in Chancery.

such of the Original Statute Rolls, Inrollments of Acts, and Parliament Rolls, as are still preserved, are deposited in the Tower of London,[1] or at the Chapel of the Rolls,[2] Places appropriated to the Custody of the Records of the King's Chancery, which has ever been deemed the proper Repository of the Statutes of the Kingdom.

II. The Nature and Qualities of the several Records and Manuscripts from whence all the Statutes, as well those of an earlier as of a later Period, have been taken for Insertion or Collation in this Work, and the Place where each original Record and Manuscript is kept, will more fully appear from the following Detail.

1. Statute Rolls.—These are Records of Chancery, of the highest Authority, on which were entered the several Statutes when drawn up in Form, for the Purpose of being proclaimed and published; these Statutes being framed upon such Original Petitions and Answers, or Entries thereof on the Parliament Rolls, as related to Public Concerns.[3] The earliest Statute Roll now known to exist, is that which commences with The Statute of Gloucester 6 Edw. I. A.D. 1278. From that Period to 8 Edw. IV. inclusive, A.D. 1468, with an Interruption, after 8 Hen. VI. until 23 Hen. VI. inclusive, the Statutes are preserved in the Tower of London in a regular Series, on Six separate Rolls, each Roll consisting of several Membranes tacked together. The Contents of each Roll are as follows, viz.

Of the Great Roll; Statutes from 6 Edw. I. to 50 Edw. III. But this Roll does not contain all the Statutes which have been printed as of that Period.[4]

Second Roll; Statutes Temp. Ric. II. There is also a separate Roll, of one Membrane, containing a Duplicate of the Statutes 21 Ric. II.

Third Roll; Statutes Temp. Hen. IV. and V.

Fourth Roll; Statutes 1 Hen. VI. to 8 Hen. VI.

Fifth Roll; Statutes 25 Hen. VI. to 39 Hen. VI.

Sixth Roll; Statutes 1 Edw. IV. to 8 Edw. IV. This is the last Statute Roll now known to exist, none of a later Date having been found.

These have ever had the Reputation annexed to them of being Statute Rolls. Some of them are cited by that Name upon the Close and Patent Rolls;[5] and referred to by great Law Writers, Lord Coke, Lord Hale,[6] and

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[1] With respect to the depositing the Records of Chancery in the Tower, see Rot. Pat. 9 Eliz. Part 6, on which is recorded a Precept from the Queen dated 1 May, which passed under the Great Seal, to Francis Spilman Esq. Clerk of the Parliaments requiring him to remove all Rolls of Parliament, Petitions, Judgements, Attainders, and other Records of Parliament in his Custody from 22 Edw. IV. to 1 Mary, into the Tower, to be delivered to William Bowyer the Keeper of the Records there: On Part 9 of the Patent Roll of the same Year is recorded a Precept under the Sign Manual, dated 18 June, to Sir William Cordell, Master of the Rolls, for the like Removal of the Parliament Rolls, Patent Rolls, Charter Rolls, Close Rolls, Fine Rolls, and all other Rolls and Records of Chancery for the same Period. In Leland's Collectanea (Edit. 1770.) Vol. 2. p. 656, is the Copy of a Warrant of Q. Elizabeth, without Date, requiring a like Removal of the Records of the Chancery; Which Warrant is introduced by the following Recital: "Forasmuch, as it is not meet that the Records of our Chancery being accompted as a principall Membre of the Threasure belonging to ourself, to our Corone and Realme, should remain in private Places and Houses, for doute of such Danger or Spoile as heretofore hath happened to the like Recordes in the Time of King Richard the Second, and King Henry the Sixth our Progenitours; but rather to remain in our Towre of London, under the Custody of the Keeper of our Recordes there for the Time being, as not only by due Custome of our Progenitors from Time to Time used may appeare, for that (as wee are informed) all the Records of our said Chancery from the Time of our Progenitour William the Conqueror until the last Year of the Reign of King Edward the Fourth our Progenitour, have been from Time to Time thereunto brought, and now there at this Time doe remain; But also (as wee are informed) the same is by Recorde manifeste and apparante." The Parliament Rolls, however, as also the Close, Patent, Fine, and Charter Rolls, from the Time of Ric. III. still remain in the Chapel of the Rolls; but many Bundles of Bills, Answers, Depositions, and other Proceedings in Chancery have, at the Instance of the Six Clerks, been from time to time removed from their Record Room to the Tower; and Examinations taken by the Examiners of the said Court have, at their Instance, been also removed to the Tower.

[2] For Letters Patents, of Edw. III, annexing the Domus Conversorum, now the Chapel of the Rolls, to the Office of the Master of the Rolls, and the Confirmation thereof, by Ric. II, see Rot. Pat. 51 Edw. III. m. 20: 6 Ric. II. Part 3, m. 12.

[3] See page xxxv note 5.

[4] Lord Hale, H. C. L. ch. 1. says this Roll "begins with Magna Carta and ends with Edw. III." This is erroneous: for though part of the Roll antecedent to 6 Edw. I. may have been lost since the time of Lord Hale, there is no reason to conclude that it ever began with Magna Carta: Magna Carta and Carta de Foresta are not entered on this Roll prior to 25 Edw. I. and they are accordingly printed as Statutes of that Year in this Collection. There are not wanting Authorities which seem to consider the Great Charter, as possessing the Validity of a Statute from the 1st or the 9th of Henry III.; before the Confirmation of it by the Statute of Marlborough, 52 Henry III. It is so considered by Coke in 2 Inst. 65, 1 Inst. 43 a, 81 a; in the Prince's Case, 8 Rep. 19; and elsewhere: by Hale H. C. L. ch. 1; and by Blackstone in his Introduction to the Charters, 4to. pa. xl. 8vo. pa. lxi.: It is also expressly called a Statute by Littleton, sect. 108; but this may be referable to its subsequent Confirmation by Parliament. Hale's Idea may probably have arisen from supposing it to be on the Statute Roll before 6 Edw. I. And Coke and Blackstone founded their Opinions chiefly upon two judicial decisions cited from Fitzherbert's Abridgement; (Part 2, fo. 120 b. tit. Mordaunc. pl. 23, and Part 1, fo. 188 a. tit. Briefe pl. 881;) the one as of 5 Hen. III. the other as of 21 Hen. III; to which may be added another of 23 Hen. III. Fitz. Abr. Part 1, fo. 90 a. tit. Assise. pl. 436. These, if of those Years respectively, certainly prove that the Great Charter was then considered as the Law of the Land, but not absolutely that it was previously of Parliamentary Enactment. In the Instances of 5 Hen. III. and 23 Hen. III, the Phrase "tenant de Magna Carta" is merely used incidentally by Fitzherbert in stating the Points adjudged; and there is some ground to think also that the former decision was possibly of a much later Period; See the Year Books 38 Hen. VI. 18. and 39 Hen. VI. 19. In the Instance of 21 Hen. III. the Great Charter is referred to, not as a Parliamentary Act, but as a Grant, 'concessum' being the Word used to denote its Authority: which Construction, the Preamble of the Articuli super Cartas, Stat. 28 Edw. I. and the Beginning of Chapter 1. of that Statute, confirm; though in the Confirmatio Cartarum, Stat. 25 Edw. I. c. 1. which passed during the Absence of the King from the Realm, it is recited of the two Charters "les queles furent faites p cõmun assent de tut le Roiaume."—In an Admiralty Record, quoted by Prynne (Animad. 120,) as of 23 Hen. VI, the Laws of Oleron are recognised by the Term "Statutum."

[5] "Vacat quia nõ fuerũt cõsignate; set alibi in rotulo de Statutis." Rot. Claus. 27 Edw. I. m. 17 d; D' q'bꝫdam articlis Magne Carte & Carte de Foresta. See Stat. 27 Edw. I. pa. 126. of this Volume.

"Le quel Estatut est enroulle en le roulle destatutz." Rot. Pat. 15 Edw. II. P. 1. m. 17. See Stat. 15 Edw. II. pa. 187. of the Statutes in this Volume, and Note b. there.

[6] Lord Hale speaks of Statutes extant of Record either "in the proper and natural Roll, viz. the Statute Roll; or entered in some other Roll, especially the Close Rolls or Patent Rolls, or in both."—Hale H. C. L. ch. 1.

the Editors of Statutes, Pulton, Hawkins, Cay, &c. There is Evidence also that Statute Rolls have existed of a subsequent Time; for the Statutes after 8 Edward IV, until 4 Henry VII. inclusive, are inserted in the early Printed Editions in a Form manifestly copied from complete Statute Rolls; and they are found in the like Form in Lib. XI. in the Exchequer at Westminster, MS. Cott. Nero C. I, in the British Museum, and in several other Manuscript Collections. But there is reason to conclude, that the making up of the Statute Roll entirely ceased with the Session 4 Hen. VII, as no such Roll of a later Date, nor any Evidence thereof has been discovered; and it is observable that in the next Session, 7 Hen. VII, Public Acts were, for the first time, printed from the several Bills passed in Parliament, and not as part of one general Statute drawn up in the antient Form.

2. Inrollments of Acts of Parliament.—These are Records, containing the Acts of Parliament certified and delivered into Chancery. They are preserved in the Chapel of the Rolls, in an uninterrupted Series from 1 Ric. III. to the present Time; except only during the Usurpation. By the Officers of Chancery they are commonly termed "Parliament Rolls;" and they are variously endorsed, some with the Phrase "Inrollments of Acts."[1] From 1 Ric. III. to 3 Car. I. inclusive, they comprehend several other Proceedings of Parliament besides the Acts inrolled; (sometimes for Instance, the Commissions for giving the Royal Assent to Bills are found entered on them;[2]) thus partaking of the Qualities of Rolls of Parliament, and including nearly the same Contents: until, the miscellaneous Matters disappearing by Degrees, the Acts inrolled only occur: After 5 Hen. VII. they may be considered in Effect, as coming in the Place of the Statute Roll.[3] To 25 Hen. VIII. they contain all Acts, Public and Private, which were passed in every Session, each with an introductory and concluding Form of their being presented and assented to: From 25 Hen. VIII, to 35 Eliz. several of the Private Acts, and afterwards to 3 Car. I. all the Private Acts, are omitted, their Titles only being noticed. From 16 Car. I. to 31 George II. the Inrollments contain nothing but the Public Acts, and the Titles of the Private Acts, with the several Forms of Assent, without any other Parliamentary Matter. And from 32 George II. their Contents are the same, with the Omission of the Titles of the Private Acts.

At present, after all the Public-General Acts of the Session have received the Royal Assent, a Transcript of the Whole is certified by the Clerk of the Parliaments, and deposited in the Rolls Chapel: On that Occasion the Clerk of the Parliaments sends the Roll, or Rolls, containing such Transcript, apparently in a complete State, engrossed on Parchment, signed, and certified by him as Clerk of the Parliaments; and it is thereupon arranged with the other Records; and thus becomes the Inrollment of the Statutes of that Session of Parliament. For this Transcript the Clerk of the Parliaments is paid every Session out of the Hanaper, on a Receipt by the Clerk of the Records in the Rolls Chapel, stating that the Roll is delivered there.

It may be further observed upon this Subject, that the Proceedings which took Place in the House of Lords in Ireland in 1758,[4] for the better Preservation of the Records of Parliament in that Kingdom, where the Constitution and Law of Parliament were in all essential Points conformable to those of England, afford a strong Illustration of the Practice of certifying Statutes and recording them in Chancery.[5]

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[1] See *Appendix E. subjoined to this Introduction*; as also the First Report of the Select Committee of the House of Commons on the Public Records, Ordered to be printed 4 July 1800, and the Appendix thereto D. i. a. page 84. And further as to Rolls of Parliament, see post pa. xxxvii.

[2] No Notice is taken,, at the present Day, on the Inrollment of Acts in Chancery, of any Commission by which Acts are passed: It is believed that no Instance of the Entry of any such Commission on that Inrollment has occurred since the Time of Charles I. See in *Appendix F. subjoined to this Introduction*, a further Account of these Inrollments, and a Copy of the earliest Commission for giving the Royal Assent.

[3] See ante page xxxiii. and *Appendix E. subjoined to this Introduction.*

[4] *See an Account of these Proceedings in Appendix E.*

[5] The following Minute respecting the Mode of framing Statutes is extracted from the Treatise intituled, 'Expeditionis Billarum Antiquitas' quoted in Page xxxii, Note 5.

The Statute was made by the King and a Council of Judges and others, who were called to assist herein.—"the usual Time for making a Statute was after the end of every Parliament; and after the Parliament Roll was engrossed, except on some extraordinary Occasions."—"The Statute was drawn out of the Petition and Answer, and penned in the form of a Law, into several Chapters, or Articles, as they were originally termed."—"The Statute being thus drawn up into divers Heads or Articles, now called Chapters, it was shewn to the King; and upon his Majesty's Approbation thereof, it was engrossed (sometimes with a Preamble to it, and a Clause of 'Observari Volumus' at the Conclusion, and sometimes without any Preamble at all,) and then by Writs sent into every County to be proclaimed." See Rot. Parl. 14 Edw. III. nu. 7: 15 Edw. III. nu. 42: 17 Edw. III. nu. 19, 23: 18 Edw. III. nu. 12, 23, 24: 22 Edw. III. nu. 4, 30: 25 Edw. III. m. 5. nu. 12, 13; m. 4. nu. 43: 27 Edw. III. nu. 42: 28 Edw. III. nu. 16: 37 Edw. III. nu. 39: 1 Ric. II. nu. 56: 2 Ric II. nu. 28: 3 Ric. II. nu. 46, 50: 6 Ric. II. nu. 34, 52: 7 Ric. II. nu. 40: 2 Hen. IV. nu. 21: 7 & 8 Hen. IV. nu. 31, 37, 48, 60, 65: 13 Hen. IV. nu. 17: 2 Hen. V. P. 1. nu. 22: 8 Hen. V. nu. xvi: 9 Hen. IV. nu. 17: 2 Hen. VI. nu. 46: 10 Hen. VI. nu. 17: 15 Hen. VI. nu. 33: Hale H. C. L. ch. 1. and 3 Keble's Rep. 587.

"Many Inconveniencies happened to the Subject by the antient Form, in framing and publishing of the Statutes, viz. Sometimes no Statute hath been made, though agreed on; many Things have been omitted; many Things have been added in the Statute; a Statute hath been made, to which the Commons did not assent, and even to which neither Lords nor Commons assented." See 1 Hale P.C. 394; 3 Inst. 40, 41; 12 Rep. 57; Rot. Parl. 18 Edw. III. nu. 32—39: 3 Ric. II. nu. 38: 6 Ric. II. nu. 53.

"Les ditz cões prierent a nře ſr le Roy, q̃ les bosoignes faites & affaires en cest plement soient enactez & engrossez devant le deptir des Justices tantcome ils les aient en leur memoire; a quoi leur feust responduz q̃ le Clerk du plement ferroit son devoir pur enacter & engrosser la substance du plement p̃ advis des Justices, & puis le monstrer au Roy & as ſrs en plement pur savoir leur advis."—Rot. Parl. 2 Hen. IV. nu. 21.

As to the inrolling of the Statute in Chancery, See Rot. Claus. 12 Edw. II. m. 22 d. where the Proceeding is thus explicitly stated. "Le Roi voet & grunt - - - q̃ tutes les choses desusescrites soient enroullez en roulle de parlement, & de illoesq̃s envoie en sa Chauncellerie, & illuesq̃s enroullez, & de illusqes per bref de son grnt seal envoiez a les places del Escheker & de lun Baunk & del autre, od comandement de enrouller les illoeq̃s & a tenir leꝭ & a garder en la fourme avantdite."

And in conformity with this proceeding, Statutes made in England and required to be proclaimed and observed in Ireland, were sent to the Chancellor there, to be inrolled in the Chancery of that Kingdom, and thence exemplified and sent to the Courts of Justice, &c.—See Stat. 12 Edw. II. and the Writs at the End thereof, page 179, of the Statutes in this Volume; and

3. Exemplifications; and Transcripts by Writ.—Exemplifications are Copies sent out of Chancery under the King's Seal; either to Sheriffs of Counties and Cities in England, or to the Chancellor or Chief Justice of Ireland, or to other Courts or Places, for the safe Custody and for the proclaiming or confirming of the Statute; or in other Cases for affording Authentic Evidence of the Statute. In the Tower of London, Copies of the Statutes 9, 10, 11, 14, 15, 18 and 20 Hen.VI. (for some Years to the Number of two, three, six, or seven Copies) are preserved on separate Skins of Parchment, which appear to have been prepared as Exemplifications, for the Purpose of proclaiming the several Statutes; and these serve to supply the Deficiency of the Statute Roll during that Period. One similar Copy of the Statutes 13 Ric. II. is also preserved in the Tower.[1]

It is not irrelevant to remark, that an Exemplification differs from an Original Grant under the Great Seal, or an Original Act of Parliament, in this; that an Exemplification is a Copy, and can be made only from the Record.[2] At the present Day every Exemplification, being first made out in Form by the proper Officer, is examined with the Record by two Masters in Chancery, who not only subscribe a Certificate on the Exemplification, of their having examined it with the Record, but also sign a Certificate to that effect, addressed to the Lord Chancellor, on a Paper called the Docket, which is left with him before the Exemplification is allowed to pass the Great Seal.

Transcripts by Writ were Copies sent into Chancery in Answer to the King's Writ or Mandate, calling for a Copy of the Statute from the Officer in whose Custody it was preserved. A Transcript of the Statutes of Wales 12 Edw. I. is preserved in the Tower of London, with the Writ annexed, by which that Transcript was required from the Exchequer at Westminster;[3] where it was entered of Record, according to the Usage which formerly prevailed of sometimes inrolling Statutes in Courts of Justice.[4] Transcripts and Exemplifications of Statutes have also been occasionally found in various other Repositories.[5]

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for other Instances illustrative of thus inrolling Statutes in Chancery in England and Ireland, See *Appendix E. subjoined to this Introduction.*

The Distinction between such Bills as were common and such as were particular, or in the more modern Phrase Public Acts and Private Acts, with respect to the Practice of inrolling them, was thus certified by Kirkby of the Rolls, 33 Hen. VI. "Sir, le cours del parlemt est tiel - - - - si ascun bill, soit pticuler, ou aup bill q̃ soit primermt delivr̃ a les Comūs, et sil passe eux, ils usent endosser le bill en tiel forme; cest assavoir, 'soit baillt as seigniors;' et si le Roy et les seigniors agreent a m̃ le bill, et ne voilloit alp ne changer le bill, adonq̃ ilz ne usent endosser le bill, mes est baillt al Clerk del Parlement pour ẽe enrolle; et si ce soit un comẽ bill, il serra enrolle et enacte; mes si soit un pticuler bill, il ne serra enrolle, mes sera file sur le filac̃ et est assez biẽ; mes si la pty veut suir pur lẽtr̃ pour estre le mieux seur, il purroit estre enroulle."—Year Book 33 Hen VI. 17: Fitzh. Abr. tit. Parliament pl. 1: Bro. Abr. tit. Parliament & Statutes pl. 4. See also Rot. Claus. 6 Hen. VI. nu. 11, for the Proceedings towards the Inrollment of a Particular Bill or Private Act.

In the 14th Year of James I. Lord Hobart speaking of a Private Act then under Consideration said, "That very Bill is filed with the rest of the Bills, and the King's Assent unto it, and labelled with the rest, whereunto the Great Seal is set, as the Course is in Private Acts, which are not inrolled without special Suit, as General Acts are; for General Acts are always inrolled by the Clerk of the Parliament, and delivered over into Chancery, which Inrollment in the Chancery makes them the Original Record (as it was resolved in John Stubbs's Case): But in Private Acts the very Body of the first Bill filed and sealed as aforesaid, and remaining with the Clerk of the Parliament, is the Original Record." Hob. 109. The following Account, given also in the Reign of James I. by Bowyer and Elsyng, in the written Objections which they made to Pulton's having Access to and printing the Original Records of Acts in the Tower (See Chap. I. Sect. II. pa. xxviii. of this Introduction,) appears to be more accurate with respect to private Acts than that of Lord Hobart; and agrees with that given by Kirkby in 33 Hen. VI. "At the End of every Session of Parliament, all the Public Acts are ingrossed into one great Roll by Bowyer, as Clerk of the Parliament; and the same Roll, being by him subscribed, he delivereth into the Chapel of the Rolls; which is thereupon there received, and placed among the Records of the Chancery, being the highest Record of the Kingdom, without any other Warrant than his Hand: Which Acts or Statutes so by him transcribed, do bind his Majesty's Subjects of all Degrees for ever. If any Private Act be at any Time to be certified into the Chancery, a Writ of Certiorari is directed to Bowyer, who thereupon doth certify the same under his Hand; which accordingly is received, without any Allowance or Warrant of any other Person, and is thereby made a Record, and bindeth the Party whom it concerneth, and all others." MS. Cott. Titus B. V. pa. 69. See further Hale H. C. L. ch. 1., 3 Keb. Rep. 587; Dewes's Journals of Parliament, 1 Eliz. pa. 35; and the Instances in *Appendix E, and F. subjoined to this Introduction.*

All the Statutes passed in each Session are now classed in Three distinct Series: The first Series contains the Public-General Acts, such as in their Nature are Public and General, which are certified into Chancery, and printed by the King's Printer for general Circulation: The Second Series contains Acts respecting particular Places and Persons: Of these the Road Acts, Canal Acts, and all others by which Felonies are created, Penalties inflicted, or Tolls imposed, have a Clause annexed to each "That the Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded." Other Local or Personal Acts which are not required to have this Public Clause annexed have each a Clause inserted, at the Suit of the Parties, "that the Act shall be printed by the King's Printer, and that a Copy thereof, so printed, shall be admitted as Evidence thereof by all Judges, Justices, and others." All the Acts of this Second Series are printed together in one Collection. The Third Series contains such Local and Personal Acts as are without either of the above Clauses, and are therefore not printed. See Reports of the Committee of the House of Commons on the Promulgation of the Statutes, in 1796 and 1801; and Resolutions of the House of Commons 7 May 1801 and 18, 22, and 24 March 1803.

[1] See also Rot. Pat. 2 Edw. III. P. 2. m. 15; the Articuli Cleri, 9 Edw.II, exemplified at the Request of the Clergy of Sarum: Rot. Pat. 2 Ric. II. P. 2. m. 20; Assisa Panis, &c. exemplified at the Request of the Bakers of Coventry. Rot. Claus. 5 Ric. II. m. 13 d; the Recital and Confirmation in Parliament of the Statute of Wynton, 13 Ed. I. And further the Notes and Writs subjoined to the following Statutes, viz Stat. Wynt. 13 Edw. I: Stat de Mercatoribus, 13 Edw. I: Stats. 22 Edw. I: 27 Edw. I: 34 Edw. I: 35 Edw. I: 3 Edw. II: 9 Edw. II: 12 Edw. II. As to Exemplifications for particular Purposes at the present Day, see that relating to the Act for the Union of Great Britain and Ireland, in *Appendix E. to this Introduction.*

[2] See 3 Inst. 173; and Stats. 3 & 4 Ed. VI. c. 4: 13 Eliz. c. 6.

[3] See Note and Writ at the End of Stat. Wallie 12 Edw. I.; See also Rot. Claus. 9 Edw. II. m. 11, the Correction of Chapter 12 of the Statute of Gloucester, 6 Edw. I. sent to the Justices of the Bench; and again Rot. Claus. 17 Edw. III. P. 1. m. 7.

[4] 4 Inst. 43: Rot. Claus. 12 E. II. m. 22 d.

[5] *See Appendix C. subjoined to this Introduction.*

4. Original Acts.—These, from the 12th Year of Henry VII. to the present Time, with some Interruption, particularly in 14 & 15 Hen. VIII. and 21 Hen. VIII. are preserved in the Parliament Office. Some Petitions and Bills previous to 12 Hen. VII. are in the Tower of London, but in no regular Series. The Original Acts in the Parliament Office consist of the Bills as ingrossed after being brought into Parliament, and in the State in which, after such Ingrossment, they passed both Houses, and received the Royal Assent. Each Act is on a separate Roll numbered; and Reference is made to them from a Calendar kept of the Acts of each Session in the Parliament Office. These are the Materials from which the Clerk of the Parliaments makes up the Inrollments of Public Acts sent by him into Chancery, and preserved there; or certifies Acts into Chancery, when required so to do.[1]

As to the comparative Authority of the Original Acts and the Inrollments in Chancery, it is to be observed, that all the Original Acts are separate from each other; and that they are frequently interlined, defaced, erased, and in many Instances, with great Difficulty intelligible:[2] The Inrollment in Chancery is always fair and distinct; and the Acts are entered in a regular Series, on one Roll or subsequent Rolls, as Part of the Proceedings of a Parliament, the Time of the holding of which is stated at the Beginning of the Roll. In modern Practice, if any Doubt arises as to the Correctness of the Inrollment in Chancery,[3] Application is made to the Clerk of the Parliaments; and the original Act is thereupon produced, and compared with the Inrollment, and an Amendment, if requisite, is made in the Inrollment accordingly.

5. Rolls of Parliament.—These contain Entries of the several Transactions in Parliament; when complete they include the Adjournments, and all other common and daily Occurrences and Proceedings from the opening to the close of each Parliament, with the several Petitions or Bills, and the Answers given thereto, not only on public Matters, on which the Statute was afterwards framed, but also on private Concerns. In some few Instances the Statute as drawn up in Form is entered on the Parliament Roll: but in general the Petition and Answer only, are found entered; and in such Case the Entry, of itself, furnishes no certain Evidence, that the Petition and Answer were at any Time put into the Form of a Statute.[4]

Copies of Petitions in Parliament and Answers thereto, as early as 6 Edw. I. and in various Years of Edw. II. and Edw. III. are among Lord Hale's Manuscripts in the Library of Lincoln's Inn. Rolls containing Pleas, Petitions and Answers, and other Proceedings in Parliament, from 18 to 35 Edw. I. and one of Petitions in Parliament 7 Hen. V, are in the Chapter House at Westminster. A Book of Inrollment, called Vetus Codex, in which are entered Proceedings in Parliament, from 18 Edw. I. to 35 Edw. I. and in 14 Edw. II, is in the Tower of London.[5] In that Repository also are preserved Rolls containing Pleas and other Proceedings in Parliament, between 5 Edw. II. and 13 Edw. III; Rolls of Parliament of 9 Edw. II; 4, 5, and 6 Edw. III;[6] and 13 Edw. III; and from thence, to the End of the Reign of Edward IV, in a regular, and nearly uninterrupted, Series. After that Time the Rolls of Parliament are, for a certain Period, supplied by the Inrollments of Acts preserved in the Chapel of the Rolls,[7] and finally by the Journals of the Two Houses of Parliament.[8]

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[1] It was one of the Functions of the Clerk of the Parliaments to receive, in the Upper House, the Petitions of the Knights, Citizens, and Burgesses: See Rot. Parl. 20 Edw. III. nu. 11. And with respect to the Appointment of the Clerk of the Parliaments, See Rot. Parl. 14 Ed. III. nu. 3: 15 Ed. III. nu. 1: 17 Ed. III. nu. 1: 18 Ed. III. nu. 4: 2 Hen. IV. nu. 21: 4 Hen. IV. nu. 10: 5 Hen. IV. nu. 40.

[2] See particularly the Act of Uniformity 14 Car. II. printed as cap. 4. of that Session: and being nu. 3. of the Bundle of Acts of that Year in the Parliament Office; and nu. 4. on Part I. of the Rolls containing the Inrollment of those Acts in Chancery. *And see Appendix F.* for other Instances.

[3] See Rot. Parl. 6 H. IV. nu. 56. for Amendment of Errors in a Subsidy Act, as entered "en les rolles de la Chauncellarie s' lengrossure del dit plement," contrary to the actual Grant by the Commons.

[4] See Hale H. C. L. ch. 1, and 3 Keb. Rep. 588. That the Royal Assent given to a Petition did not of itself constitute a Statute; see Rot. Parl. 14 E. III. nu. 7: 15 E. III. nu. 42: 17 E. III. nu. 48: 18 E. III. nu. 33, 30: 25 E. III. nu. 12, 13: 37 E. III. nu. 39: 1 Ric. II. nu. 15: 2 Hen. IV. nu. 114: 7, 8 Hen. IV. nu. 60, 66: 13 Hen. IV. nu. 49: 23 Hen. VI. nu. 18, 19: See also ante pa. xxxi note 4; page xxxii note 5; and page xxxv note 5.

[5] The Contents of this Volume were printed in 1661, by W. Ryley, a Clerk in the Record Office in the Tower, with an Appendix of additional Matter, under the Title of Placita Parliamentaria. The Original Manuscript Volume is referred to in Rot. Pat. 6 Ric. II. P. 2. m. 26, as an Authentic Book of Inrollment, as follows: "D' Exemplific Tykford. & Omib3 ad quos, &c. salt'm. Inspexim⁹ tenorem cujusdam pcepti dñi E. quondam Regis Angł fit Regis Henr pgenitoris nri, in quodam libro de pliamentis ejusdem dñi E. anno regni sui vicesimo irrotulati in hec verba." Then follows verbatim the Article 'De Abbati de Mermonster,' entered in fo. 36 of the Vetus Codex, and printed in page 102 of Ryley's Placita Parliamentaria.

[6] At the Head of these two Rolls are the following Titles or Introductions, viz. At the Head of the Roll 9 Edw. II;

"Memoranda de pliamento dñi Edwardi Regis Angł filii Edwardi quondam Regis Angł, sumonito & tento apud Lincoln in quindena Sci Hillar, Anno regni dci Reg nono; facta p Wiltm de Ayremynne clicum de Cancellar pfati Reg, p eundem Regem ad hoc nōiatum & specialit deputatum."

At the Head of the Roll of 4, 5, and 6 Edw. III.—"Recorda & Memorand de hiis qui fiebant in pliamento sum apud Westm die Lune px post festum sce Catherine anno Regni Regis Edwardi pcii a conquestu quarto, libata in Cancellar p Henr de Edenestowe clicum pliamenti."

[7] See ante page xxxv: And see also *Appendix E.* for some Instances illustrative of the Contents of the Parliament Rolls, including the earliest Instances of the opening of Parliament by Authority of the King's Commission. As a Specimen of the Contents of the several Rolls and Manuscripts, from 6 Edw. I. to 19 Hen. VII. the Six Volumes of "Rotuli Parliamentorum, ut et Petitiones et Placita in Parliamento" printed by an Order of the House of Lords of 9th March 1767, may be consulted: But this Collection does not contain all the Rolls, Petitions, and Parliamentary Proceedings during that Period; and it is by no Means to be relied upon for correctness.

[8] The Journals of the House of Lords commence in 1 Hen. VIII: But of the Years 4, 5, 14 & 15, 21, 22, 23, 24, 26, and 27 Hen. VIII, and of the first two Sessions in 1 Mary, the Journals have not been preserved. In the printed Editions therefore, the Journals for those Years are supplied by Copies of, and Extracts from, what are there termed the Parliament Rolls, being the Inrollments in Chancery mentioned above, and particularly described ante page xxxv. The Journals of the House of Commons commence in 1 Edw. VI.; But until the Beginning of the Reign of Elizabeth they contain merely short Notes of the several Readings of the respective Bills before the House, with a few occasional Entries only of other Proceedings. *See further Appendix F.*

6. The Close, Patent, Fine, and Charter Rolls, among a Variety of Grants, Recognisances, and other Miscellaneous Matters, concerning the State of the Realm and the Rights of the Crown, recorded in them, include Entries of Statutes, and some Instruments having direct Reference to Statutes wherein such Statutes are recited at length. These Rolls are kept at the Tower, from the Beginning of the Reign of King John to 22 Edw. IV, and from the Reign of Edw. V. to the present Time at the Chapel of the Rolls.

7. Books of Record, containing Entries of Statutes and Parliamentary Proceedings.—Of this Sort is, The Red Book of the Exchequer at Westminster, some of the early Part of which was compiled by Alexander de Swereford, first a Clerk and afterwards a Baron of the Exchequer,[1] in the Reign of Henry III. It seems afterwards to have been considered and used as an authorized Repository by the Court itself; and contains Entries and Inrollments of many Charters and antient Acts of Parliament, as well as other Instruments relating to the King and the Rights of the Crown, from the Time of William the Conqueror to the End of Edw. III.: The Originals of several of these Acts and Instruments are preserved in the Tower of London, and in the Chapter House at Westminster, with References to Inrollments in this Book,[2] or to the Circumstance of the Act being sent into the Exchequer.[3] The Red Book of the Exchequer at Dublin is considered as of the same Authority: It contains Entries of Magna Carta 1 Hen. III. especially granted to the People of Ireland; of the Statute of Westminster the First, 3 Edw. I, (which is not to be found on the Great Roll of Statutes in the Tower of London, being prior in Date to the present Commencement of that Roll,) and also of the Statutes of Gloucester, 6 Edw. I, de Viris Religiosis 7 Edw. I, and Westminster the Second, 13 Edw. I, agreeing in general with the Text of those Statutes on the Statute Roll in the Tower. There is reason to conclude that these Statutes were entered in the Red Book at Dublin, from an Exemplification sent over from England in the 13th Year of Edw. I, as is noticed in a Memorandum on the Close Roll of that Year.[4] A Register Book marked A., preserved at the Chapter House at Westminster, as in the Custody of the Treasurer and Chamberlains of the Exchequer,[5] contains Entries or Inrollments made in the Time of Edward I. Among these are the Statute of Gloucester, 6 Edw. I, and the Statute of Westminster the Second, 13 Edw. I. The Originals of the several Statutes and Instruments, it is stated in the Register, were deposited in certain Chests in the Chapter House; but these Originals have not been discovered.

8. Books and Manuscripts not of Record, containing Entries or Copies of Statutes, are very numerous. In the Court of Exchequer at Westminster are Three Books, marked IX. X. XI. Book X. contains many of the earlier Statutes previous to Edw. III: Books IX. XI. contain the Statutes from 1 Edw. III. to 7 Hen. VIII.

In the Town Clerk's Office, at the Guildhall of the City of London, are several Manuscript Volumes; in which, among other Matters chiefly relating to the Laws and Customs of the City of London, are Entries of many of the antient Statutes previous to Edward III. The greatest Number, and the earliest Copies are in two Volumes, distinguished by the Appellations, Liber Horn, and Liber Custumarum. It appears from internal Evidence that Liber Horn was compiled about the Year 1311, and Liber Custumarum not long after the Year 1320: Liber Horn is rendered valuable by having been in many Instances corrected, in a later Hand Writing, from Exemplifications of Statutes sent under Seal to the Sheriffs of London. In two other Manuscripts, one called Liber de Antiquis Legibus, and the other Transcriptum Libri Albi, copied from a Volume originally compiled in the Mayoralty of Richard Whityngton A. D. 1419, 7 Hen. V, are occasional Entries of a few antient Statutes. In other Volumes marked G. H. and I. are Entries of some of the Statutes of Edw. III. Richard II. Henry IV. and Henry V; many of them appearing to have been made from Exemplifications sent to the Sheriffs of London for Proclamation.

Of Manuscript Collections of Statutes, preserved in Public Repositories, the greatest Number collected together in any one Place, is to be found in the British Museum. They are distinguished as being of the Cottonian or Harleian Collection; from the Royal Library; Donation Manuscripts; and Lansdowne Manuscripts. The Cottonian Manuscripts Claudius D. II. and Vespasian B. VII. were resorted to by Hawkins and Cay, for Copies of Statutes previous to Edw. III.; and Nero C. I. for Statutes of Henry VI. and Edw. IV. not found at the Tower.

In the Bodleian Library at Oxford, are Rawlinson's, Hatton's, and Laud's Manuscripts. Among the latter is a Roll of Statutes, No. 1036, consisting of Eleven small Membranes of Parchment united together; not much more than Four Inches wide; but each being Two Feet or more in length. This Roll appears to have been written in the Time of Edw. I: It contains no Statute later than the Articuli super Cartas, 28 Edw. I.

At Cambridge several Manuscript Collections of Statutes are preserved in the Library of the University, and in Trinity College Library. In Corpus Christi or Bene't College Library are the Manuscripts bequeathed to the College by Archbishop Parker.

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[1] Madox's History and Antiquities of the Exchequer, I. 179, 624; and see also the Dissertatio Epistolaris prefixed to the Dialogus de Scaccario, II. 334, 5, 6, &c.

[2] See the Statute of Sheriffs, 9 Edw. II. Rot. Stat. m. 32, printed in page 174, 175 of the Statutes in this Volume; at the end of which is the following Memorandum: "Et fait a remembrer q̄ meisme lestatut fu seal souz le g^nt seal & maunde as Tresorer & Barons del Eschekier - - de fermement garder en tuz ses pointz." In the Red Book fo. 276 *b.* the Writ is entered with the Tenor of the Statute, 'sub pede sigilli,' as transmitted to the Exchequer according to the Memorandum on the Tower Roll.

[3] See the Red Book, fo. 318, 319, where two Grants from William de la Pole to Edw. III. are entered; the Originals of these Grants are in the Chapter House, and are there indorsed as inrolled in this Book, with Reference to the above Pages therein.

[4] De Statutis liberatis. Memo^d qd die Veñis in festo Exaltac̄ois Sc̄e Crucis anno &c. xiij^o apud Wyntoñ liḃata fuit Rog̃o Bretun Clico veñab p̄ris W. Wafford Ep̄i tūc justic̄ Hiḃñ quedam Statuta p Regem & consiliū suū edita & pvisa, videlt Statuta Westm̄ statim post coronac̄oem R̄ edita, & Statuta Glouc̄, & Statuta p mc̄atoribꝫ fc̄a ac Statuta Westmoñ in pleamento Reg̃ Pasch anno p̄dc̄o pvisa & fc̄a, in Hiḃñ deferenda & ibidē pclamanda & obs̄vanda.—*Rot. Claus.* 13 *Ed. I. m.* 5. *d.*

See also Sir Richard Bolton's Edition of the Statutes of Ireland, Edit. 1621, Note to Stat. 10 Henry VII. c. 22: where he mentions that he had seen certain antient Statutes, particularly the Statutes Westm. 1, Gloucester, and Westm. 2, exemplified under the Great Seal, and remaining in the Treasury of the City of Waterford. On a diligent Search made for that Purpose at Waterford in 1806, by Two Sub-Commissioners on the Records, no such Exemplification could be found there.

[5] See Rymer's Fœdera ii. 172, 210, 336, 380, &c.

Chartularies or Registers, preserved in several Cathedrals, contain Copies of some of the Old Statutes. Such are the Black Book of the Cathedral of Christ Church Dublin, written between the Years 1280 and 1299, and Register A. in Gloucester Cathedral, compiled in 1397.

In Lincoln's Inn Library, are Lord Hale's Manuscript Copies of Rolls and Petitions in Parliament: In the Inner Temple Library, Mr. Petyt's Collection of Manuscripts; among which are several Volumes of the Statutes. In many other Public Libraries also, Manuscript Collections of Statutes are preserved.[1]

Of the several Manuscripts not of Record, an extensive and careful Examination has been made in preparing for the present Edition; and it has been ascertained that, although they differ from each other considerably in their Degrees of Antiquity and Correctness, yet the Credit of no single one is entirely to be relied on; for scarcely any Manuscript has yet been discovered, in any Repository, in which there are not some material Errors, perverting or altogether destroying the Sense of the Text. In some Instances, however, such as Cott. Claud. D II. in the British Museum, and M m. v. 19, in the Library of the University of Cambridge, several of the Instruments contained in the Manuscripts purport to be examined by the Roll. In Liber Horn, in the Town Clerk's Office, London, several are marked as examined 'per Ceram;' 'per Ceram Gildaule;' 'per Statutum Gildaule London in Cera;' 'cum brevi cum eisdem in Gildaula adjunct'; all which signify that the Entry in the Book has been examined with an Exemplification of the Statute or Instrument under the Great Seal, sent to the Mayor and Sheriffs of London with or without a Writ for Publication thereof. The Rawlinson Manuscript No. 337. in the Bodleian Library at Oxford, and the Harleian Manuscript No. 5022 in the British Museum, refer to the Inrollment on the Statute Roll, of several Articles inserted in those Volumes, but do not profess that the Articles themselves were examined by that Roll.

III. On a mature Consideration of all the Circumstances before stated, the following Rules of Preference have been adhered to, in the Use of the several Sources for the Text, and for Various Readings of the Statutes, in the present Collection.

During the Periods in which Statute Rolls exist, such Statute Rolls have been considered and used as the highest Authority for the Statutes contained in them; namely, the Statutes 6 Edw. I. to 8 Edw. IV.; with the Omission of the Statutes 9 to 23 Hen. VI. both inclusive.

But for such Statutes as, during the Period of the Existence of the Statute Rolls, do not appear on those Rolls; and for Statutes made in any Period of which the Statute Roll is not now in existence, namely previous to 6 Edw. I.; after 8 and before 25 Hen. VI; and after 8 Edw. IV; and also for the Correction of manifest Errors or Omissions in the Text, whether taken from Statute Rolls or elsewhere, the following Sources have been recurred to in regular Gradation; preference being given to them according to the following Order, but all being used and collated, where necessary: viz. 1. Inrollments of Acts.—2. Exemplifications and Transcripts.—3. Original Acts.—4. Rolls of Parliament.—5. Close, Patent, Fine, and Charter Rolls.—6. Entries and Books of Record.—7. Books and Manuscripts not of Record.—And finally, 8. The Printed Copies; the earliest of which was not published until more than two hundred Years subsequent to the present Commencement of the Statute Rolls.

The following Reasons for Preference among Manuscripts not of Record have been adopted: 1. Their professing to be Authentic Copies from any Records, Exemplifications, or Transcripts: 2. Their Age; the oldest being on the whole the most worthy of Credit: 3. The Uniformity and Regularity of the Series of Statutes, and Instruments in each Collection: 4. Their having been already printed, and received in use, as Evidence of the Text of Statutes; or, if not so printed, their according with the printed Copies, and with each other, so that when the Manuscripts differ, the Majority should prevail: 5. Certain Manuscripts have been holden to be of superior Authority upon some particular Subjects, having special Connection with the Places in which they are preserved: Such as the Books preserved in the Exchequer, for Statutes relating to that Court, or to Accounts, or to Money; Books at the Town Clerk's Office, London, relating to the Assises of Bread and Ale, Weights, and Measures, &c: 6. In all Manuscripts some Articles are found much more correct than others; a Judgment has therefore frequently been formed from internal Evidence in Favour of a particular Statute or Reading, although the Manuscript in which such Statute or Reading were found, might not, in other Instances, be entitled to Preference: 7. Where it has happened that several Manuscripts agreed in the Text or Reading of any Instrument, and were so equal in their Claims for Preference, that it was entirely Matter of Indifference which should be chosen for a Source of Extract or Quotation, that Manuscript has been used which has been quoted or extracted from for other Purposes, in Preference to one not before quoted; and one which has already been printed from, in Preference to one which has not.

Sect. III.

Of the Mode used in searching for, transcribing, collating, noting, and printing the Text of the Statutes.

Immediately after the Commissioners had given their Directions for proceeding upon the Work, according to the Plans submitted to and approved of by them, Searches were made in the Tower of London and other principal Repositories in the Metropolis, which, by the Returns made to the Committee of the House of Commons upon Public Records, appeared to contain Authentic Records or antient Copies of Statutes; and in 1806, as hath been before-mentioned, every other Place of the same Description in England and Ireland was visited by Two Sub-Commissioners. Upon these Occasions, the Statute, Parliament, Close, Patent, Fine, and Charter Rolls, and other Records and Manuscripts preserved in the several Repositories, were examined: Reports of the Contents of these Records or Manuscripts were from Time to Time laid before the Commissioners:

[1] *See Appendix C. in which the several Records and Manuscripts in the respective Repositories are particularized.*

Numerous and repeated Transcripts and Collations were made, not only of the Statutes heretofore printed, but also of very many Instruments considered as fit to be introduced at Length, or as affording Materials for Notes and various Readings: And the printed Editions from the earliest Period to the present Time were collected together, examined, and compared with each other. From the whole of these Materials Lists were prepared of the Matters to be admitted, referring to the several Records, Manuscripts, and Books, in which they were respectively preserved or published. All the Transcripts and Collations made of these Matters were compared with each other, and with the printed Copies. The Transcript which, on full Examination, appeared to be made from the most authentic Source was used as the Copy of the Text to be printed: All the other Transcripts and Collations of the same Instrument, as also the printed Editions, were then compared and collated with this Copy; and the requisite Various Readings noted accordingly.

The Various Readings are suggested, in the following Manner; First, By substituting one Reading for another: In this Case the Word or Sentence in the Text, of which an Alteration is suggested, is included between two Crotchets, with a Figure of Reference to the Note; and in the Note is inserted the Word or Sentence proposed to be substituted, with a Quotation of the Record or Manuscript or printed Copies in which it is found. Secondly, By inserting some Word or Sentence omitted: In this Case a Reference is included within a Parenthesis, and the Word or Sentence to be inserted is supplied in the Note. Thirdly, By noting the Omission, in other Copies, of a Word or Sentence inserted in the Text: In this Case the Word or Sentence in the Text is included between Crotchets with a Reference, and in the Note the Copies which omit such Word or Sentence are particularized.

The Entries on the Statute Rolls and Records of Chancery are very seldom broken into separate Paragraphs; though other Manuscripts are more frequently so divided. In all Cases where there is any Division of Paragraphs in the Record or Manuscript, the like Division has been made in the Transcript. The Transcript has been also occasionally divided into separate Chapters or Paragraphs, in Conformity with the printed Editions of the Statutes, and for the Convenience of Reference, in Places where such Division did not occur in the Record or Manuscript: But this has been done only when a full Stop or other Mark in the Manuscript appeared to justify the complete Separation of the Sentences. The Points or Stops are conformable to those in the Record; and in printing the Text of the antient Statutes, the same Mode has been adopted as with respect to the Charters, of exhibiting the Contractions as near as may be to the likeness of the Original Characters. Where the Chapters or Clauses are numbered in the Record or Manuscript, such Number has been inserted in the Transcript. And the Numbers of the Chapters and Clauses in Cay's Edition, or the other Printed Editions from which the Translation is taken, are inserted at the Head of the Side Note or Abridgement affixed to the Translation.

In this State the Copy was sent to the Printer. The Proof Sheets supplied by him were in the First Instance compared with the Manuscript Transcripts. These Proofs being corrected, they were next compared with the Original Record, or Manuscript Authority from which such Transcripts were made. In Cases of Various Readings, the whole Article as printed, was also read and compared with the Record or Manuscripts from whence the Various Readings were suggested; and further Suggestions as to Notes of Various Readings and Amendments were adopted, as they continued to occur. The Sheets thus corrected, were again compared with the Record or Manuscript Authority, and the necessary Corrections marked thereon; which being made by the Printer, the Sheets were revised, and occasionally submitted to the Commissioners, under whose Directions many Amendments were made; and the Sheets were then finally printed off for the Work, as they now appear.

CHAP. IV.

SECT. I. *Of* THE ORIGINAL LANGUAGE *of the Charters and Statutes.*
SECT. II. *Of* THE TRANSLATION *in this Collection of the Statutes.*

SECT. I.

Of the Original Language of the Charters and Statutes.

THE LANGUAGE of the Charters and Statutes, from the Period of the earliest Charter now given, 1 Henry I. to the Beginning of the Reign of Henry VII. is Latin or French. From that Time it has been uniformly English. The Petitions or Bills on which the Statutes were founded, began to be generally in English early in the Reign of Hen. VI.

All the Charters of Liberties, and of the Forest, from 1 Hen. I. to 29 Edw. I. (with the Exception after mentioned,) are in Latin; but Translations of some of them into French, are found in various Collections. In D'Achery's Spicilegium [1] there is a French Translation, as it is called by Blackstone, of the Charter of King John; for it is doubtful whether that Charter was ever promulgated in French in this Kingdom. Some early Manuscripts [2] contain French Translations of the Two Charters of 9 Hen. III, and of the Charters of Inspeximus and Confirmation in 25 and 28 Edward I, though these latter appear on the Statute and Charter Rolls in Latin. The Charter dated 5 Nov. 25 Edw. I, [3] is in French; as is also the Duplicate of that Charter dated 10 Oct. and entered on the Statute Roll 25 Edw. I. [4]

[1] XII. 593. of the first Edition; III. 579 of the Paris Edition 1723.
[2] MS. Harl. No. 5326 and others.
[3] See page 37 of the Charters preceding the Statutes in this Volume.
[4] See page 123 of the Statutes in this Volume.

The Statutes of Henry III. are almost entirely in Latin. Some Legislative Matters, not in the Printed Collections, are entered on the Patent Rolls in French.[1]

The Statutes of Edward I. are indiscriminately in Latin or French; though the former Language is most prevalent. But the Statute of Gloucester 6 Edward I. which on the Statute Roll is in French, appears in many contemporary Manuscripts in Latin. In several Manuscripts, particularly Register A. in the Chapter House at Westminster, this Statute is given at length both in Latin and French. On the other hand the Statute of Westminster the Second, 13 Edw. I. which is in Latin on the Roll, appears in many Manuscripts in French; and Chapter 34 of this latter Statute, as to Violence against Women, which on the Roll appears in French, is given, like the rest of the Statute, in Latin, in several Manuscripts[2]. The French Chapter, 49, as to Champerty by Justices, is omitted in the Tower Roll, and in many other Copies, which give the Statutes in Latin, but is found in the Copies which give the Statute in French.[3]

The Statutes of Edward II. are, like those of Edward I, indiscriminately in Latin or French; but the latter Language prevails more than in the Statutes of Edward I.

The Statutes of Edward III. are more generally in French than those of any preceding King: yet some few are in Latin. The Statutes of Richard II. are almost universally in French; those of the Sixth and Eighth Years are in Latin. The Statutes of Henry IV, with the Exception of Chapter 15 of the Statute 2 Hen. IV. which is in Latin, are entirely in French; as are those of Henry V, with the Exception of the short Statutes 5 and 7 Henry V. which appear in Latin.

The earliest Instance recorded of the Use of the English Language in any Parliamentary Proceeding, is in 36 Edw. III. The Stile of the Roll of that Year is in French as usual, but it is expressly stated that the Causes of summoning the Parliament were declared "en Englois;"[4] and the like Circumstance is noted in 37 and 38 Edw. III.[5] In the Fifth Year of Richard II,[6] the Chancellor is stated to have made 'un bone collacion en Engleys' (introductory, as was then sometimes the Usage, to the Commencement of Business) though he made use of the common French form for opening the Parliament. A Petition from the "Folk of the Mercerye of London", in the 10th Year of the same Reign[7], is in English; and it appears also, that in the 17th Year[8] the Earl of Arundel asked Pardon of the Duke of Lancaster by the Award of the King and Lords, in their Presence in Parliament, in a form of English Words. The Cession and Renunciation of the Crown by Richard II. is stated to have been read before the Estates of the Realm and the People in Westminster Hall, first in Latin and afterwards in English, but it is entered on the Parliament Roll only in Latin.[9] And the Challenge of the Crown by Henry IV. with his Thanks after the Allowance of his Title, in the same Assembly, are recorded in English; which is termed his maternal Tongue[10]. So also is the Speech of Sir William Thirnyng, the Chief Justice of the Common Pleas, to the late King Richard, announcing to him the Sentence of his Deposition, and the yielding up, on the Part of the People, of their Fealty and Allegiance. In the Sixth Year of the Reign of Henry IV.[11] an English Answer is given to a Petition of the Commons, touching a proposed Resumption of certain Grants of the Crown, to the Intent the King might the better live of his own. The English Language afterwards appears occasionally, through the Reigns of Hen. IV. and V.[12]

In the First and Second, and subsequent Years of Hen. VI. the Petitions or Bills, and in many Cases the Answers also, on which the Statutes were afterwards framed, are found frequently in English; but the Statutes are entered on the Roll in French or Latin. From the 23d Year of Hen. VI. these Petitions or Bills are almost universally in English, as is also sometimes the Form of the Royal Assent: But the Statute continued to be inrolled in French or Latin[13]. Sometimes Latin and French are used in the same Statute, as in 8 Hen. VI.; 27 Hen. VI.; and 39 Hen. VI. The last Statute wholly in Latin on Record is 33 Hen. VI.; the last portion of any Statute in Latin is 39 Hen. VI; Chapter 2.

The Statutes of Edward IV. are entirely in French. The Statutes of Richard III. are in many Manuscripts in French, in a complete Statute Form; and they were so printed in his Reign and that of his Successor. In the earlier English Editions a Translation was inserted, in the same Form: But in several Editions, since 1618, they have been printed in English, in a different Form, agreeing, so far as relates to the Acts printed, with the Inrollment in Chancery at the Chapel of the Rolls. The Petitions and Bills in Parliament, during these two Reigns, are all in English.

The Statutes of Hen. VII. have always, it is believed, been published in English; but there are Manuscripts containing the Statutes of the first Two Parliaments, in his First and Third Year, in French[14]. From the Fourth Year to the End of his Reign, and from thence to the present Time, they are universally in English.

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[1] See Rot. Pat. 43 Hen. III. m. 10; 48 Hen. III. m. 2, d; 53 Hen. III. m. 25, d.

[2] Lib. Custum. London; MSS. Harl. No. 79, 3824; MS. Reg. 20 A. VIII. in Mus. Brit.

[3] See Note at the End of Stat. Westm. 2, pa. 95 of the Statutes in this Volume.

[4] Rot. Parl. 36 Edw. III. m. 1. In this Year was made the Statute [36 E. III. c. 15.] that all Pleadings in the Courts shall be in English.

[5] Rot. Parl. 37 Edw. III. nu. 1: 38 Edw. III. nu. 1.

[6] Rot. Parl. 5 Ric. II. nu. 1, 2.

[7] Petitiones in Parl. 10 Ric. II. in Turr. Lond.

[8] Rot. Parl. 17 Ric. II. nu. 11.

[9] Rot. Parl. 1 Hen. IV. nu. 14.

[10] Rot. Parl. 1 Hen. IV. nu. 53, 56.

[11] Rot. Parl. 6 Hen. IV. nu. 20.

[12] See particularly Rot. Parl. 2 Hen. V. nu. 22.

[13] See Stat. 18 Hen. VI. c. 18, 19, as to Soldiers, and compare those Chapters with the Petitions in the Parliament Roll of that Year, nu. 62, 63, and with the Writ of Proclamation upon the Close Roll, 18 H. VI. m. 3, d. The Statute is in French, but the Petition is in English, and is accordingly so recited in the Proclamation Writ.

[14] Petyt Manuscript nu. 8. in the Inner Temple Library; and MS. Hatton 10. No. 4135, in the Bodleian Library. The First of these ends with the Statutes of 3 Hen. VII. in French, apparently as from some Statute Roll; or Copy thereof. In the latter, which ends with 11 Hen. VII. the Statutes of the Third Year are in French; but those of the Fourth and all the following Years are in English. The old Printed Editions of the Statutes 1 and 3 Hen. VII. in English, appear to be taken entirely from a Statute Roll; while in the modern Editions, some parts of the Statutes are manifestly taken from the Original Acts, or from a Parliament Roll or Inrollment in Chancery.

Attempts have been made by many learned Persons to explain this Variety of Languages in the earlier Periods of our Legislation; and some have referred the Preference of the one Language or of the other to the Operation of particular Causes.[1] Nothing, however, is known with Certainty on this Subject; and at the present Day it is utterly impossible to account, in each Instance, for the Appearance of the Statute in French or in Latin. It seems on the whole to be highly probable that for a long Period of Time, Charters, Statutes, and other Public Instruments were drawn up indiscriminately in French or Latin, and generally translated from one of those Languages into the other[2], before the Promulgation of them, which in many Instances appears to have been made at the same Time in both Languages.[3]

It is Matter of Curiosity to observe, that the Use of the French Language in Statutes was preserved rather longer in Ireland than in England. The Statute Roll of the Irish Parliament 8 Henry VII. preserved at the Rolls Office in Dublin, is in French; on the Statute Roll of the two next Parliaments of Ireland, 16 and 23 Hen. VII. the Introductory Paragraphs stating the holding of the Parliament, &c. are in Latin; after which follows an Act or Chapter in French, confirming the Liberties of the Church and the Land: and all the other Acts of the Session are in English.

Sect. II.

Of the Translation in this Collection of the Statutes.

The Printed Translation of the Statutes previous to Hen. VII. used for the present Work, is that of Cay's Edition 1751: But as many Statutes and Parts of Statutes are omitted from the English of that Edition, the Deficiencies have been supplied from the Edition by Hawkins 1735, the Folio Edition 1618, usually called Rastall's; Pulton's Edition of the same Year; Rastall's Collection in English 1603; and, in some few Instances from earlier English Collections, and other Authorities.[4] Of Statutes and Instruments or Parts thereof, not heretofore translated, and of such only, a Translation has been now made, which is always distinguished by being printed in a smaller Type. In making this new Translation, the following Rules have been generally adhered to: To render the Original as literally as possible, consistently with the Purpose of conveying the Sense in English: and to translate the same Word the same Way, if the Sense be the same. Former Translators of the Statutes having very much conformed to the Genius of the English Language in their Versions, and not servilely fallen into Latin or French Expressions or Forms of Speech, an Endeavour has been made to adopt Language of a Cast corresponding with those Versions.

In the Bodleian Library, Rawlinson Manuscript, No. 230, is a very antient Translation of some of the Statutes of the Time of Hen. III. and Edw. I. There is reason to think, that this Translation is of a Time certainly not later than Edward III, and probably of an earlier Period: It does not contain any Statute later than 25 Edward I. In the British Museum, Harleian Manuscript No. 4999, is a Translation of the Statutes 1 Edw. III. to 18 Hen. VI, made apparently in the Time of Henry VI, or Edward IV.

For the Purpose of correcting Errors in the Translation, the several Editions, as well of the Text as of the Translation, have been compared with each other; and much Use has also been made of the two Manuscript Translations just noticed, which are cited thus, the Rawlinson Manuscript as MS. Tr. 1. and the Harleian Manuscript as MS. Tr. 2: After the Commencement of the Reign of Henry VI., the Petitions or Bills entered in English on the Parliament Roll, from whence the Statute was drawn up in French or Latin, have been consulted.

Corrections of Errors in the Translation which arise from Misinterpretation or Omission, are suggested either from other Translations, or, where no other Translation supplies a probable Correction, by new Expressions. Errors or Inconsistencies which arise from the Insertion of Words or Sentences, not authorized by the Text as given in the present Work, are noticed, either by a Reference to Records or Manuscript Authorities, or to antient Printed Copies of the Latin or French Text as authorizing such Insertion, or by a proposed Omission of the Words so inserted, in consequence of their not being justified by any Authority. Trifling Variances between the Text and the Translation, manifestly not affecting the Sense, have not been considered worthy of Notice; particularly where all former Translations agree in the same Reading. But as it was difficult, not to say impossible, to lay down any certain Standard on this latter Head, a Consistency entirely perfect may not have been uniformly observed, and is not to be expected.

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[1] See 2 Inst. 485, as to the Two Chapters of Stat. Westm. 2. which are in French, although the Body of the Statute is in Latin. Barrington in his Comments on the Statutum de Scaccario, remarks that when the Interests of the Clergy are particularly concerned, the Statute is in Latin: But on Examination, the correctness of this Remark may be doubted: See also N. Bacon's Treatise on Government, Part I. Cap. 56. (pa. 101. 4to Edit. 1760.)

[2] See Luders's Essay on the Use of the French Language, in our ancient Laws and Acts of State; Tract. VI. 1810; where it is suggested that many of the Latin Statutes were first made in French, and from thence translated into Latin.

[3] See the Entries of Stat. Glouc. 6 Edw. I. in Register A. preserved in the Chapter House Westminster, before mentioned in page xli.

[4] The Translation of the Customs of Kent, Statutes of uncertain date, page 223 of the Statutes in this Volume, is taken from Lambard's Perambulation of Kent.

The Notes and Marks suggesting the Corrections in the Translation, are to be thus understood: First, Words which are included between Crotchets, without any Note of Reference, are such as are contained in all Translations, and are authorized by Printed Copies of the Latin or French Text; though not authorized by the Text, or by any Various Reading, here given, from Manuscript Records or Authorities. Secondly, Words in the Translation included between Crotchets, with a Figure, refer to a Correction thereof, suggested in the Note; such Correction, if authorized by any Printed or Manuscript Translation, is printed in the Note in Roman Letter; but if not so authorized, then such Correction is printed in Italic Letter; if the Correction be justified by the Rolls of Parliament or old Manuscript Translations, they are quoted. Thirdly, A Reference within a Parenthesis between Two Words, suggests an Omission, which is supplied in the Notes, in Roman or Italic Character, according as it is or is not authorized, as before specified. Fourthly, Where any Words in the Translation are inclosed between Crotchets, with Reference to the Note "Not in Original," it is to be understood, that neither the Text, as now given from the Record or Manuscript, nor any printed Copy, appears to authorize the Insertion of the Words. The Term "Old Translations" is applied to all published previous to the Year 1618; in which Year the Editions distinguished as Rastall's and Pulton's Statutes were both published: The Edition called Rastall's, however, having followed the Current of several former Editions of the Statutes, is included in the Term "Old" Translations; and Pulton's Translation being in many Parts new, and having been generally adopted by Cay and subsequent Editors, is therefore included in the Term "Modern."

Short Abstracts or Side Notes have been prepared, as well to the Matters heretofore translated, as to those of which a Translation is now for the first Time given in this Publication; of those relating to Matters heretofore translated, some have been taken from Cay's, or former English Editions of the Statutes; and like Abstracts are added to the Acts subsequent to the Reign of Hen. VII.

CHAP. V.

SECT. I. *Of the Collections of the Statutes of Scotland and Ireland heretofore published by Royal or Parliamentary Authority.*—SECT. II. *Of the Methods successively adopted for promulgating the Statutes, before and since the Union of Great Britain and Ireland.*

SECT. I.

Of the Collections of the Statutes of Scotland and Ireland, heretofore published by Royal or Parliamentary Authority.

ALTHOUGH no General Collection of the Statutes of England, or of Great Britain, has been hitherto published by Authority of the Crown or of the Parliament, it appears that Measures were carefully taken in former Times for collecting and authenticating the Legislative Acts, both of the Scottish and Irish Parliaments.

IN SCOTLAND, by Royal Commission from Queen Mary, dated 1 May 1566, directed to The Chancellor, Principal Officers of State, and other Persons therein named, it was ordained that all the Laws of that Realm should be inspected, and corrected, so that no other but those, should be printed by Royal Privilege, or have Place, Faith, or Authority in Courts of Justice: and by the same Commission it was provided that the Proceedings under it should be ratified in the next Parliament. From the Difficulties of the Undertaking, the Compilation of the Laws prior to James I, was postponed; and the only part of the Work executed was a Collection of Acts from the Return of James I, in 1424, to the last Parliament of Queen Mary in 1564. This Collection was first published in the Year 1566. It comprehended a Publication of certain Statutes of James V. printed in 1541, and of Queen Mary printed in 1565, to each of which the Lord Clerk Register, at the Time, had subjoined his Certificate vouching for the truth of the Copies extracted from the Books of Parliament. These Certificates were retained in this Edition of 1566, and to the other Parts of it similar Certificates were subjoined.[1]

Other Publications were afterwards made by Authority; such were those of James VI. 1568 and 1579, and several others prior in Date to 1597; but they related only to particular Parliaments or particular sorts of Acts; and with these concludes that series of Printed Scottish Acts, which from their Typographical Character have in late Times been usually denominated THE BLACK ACTS.

In 1592 A Parliamentary Commission was issued "For vistting and caussing of the Lawes and Actis of Parliament to be prented,"[2] which appears to have led in the first instance to the Republication of the Scottish Statutes from the Æra of James I. to 1597, in the Volumes which usually bear the name of Skene's Edition, Sir John Skene being at that Time Lord Clerk Register. But under the same Commission, Sir John Skene appears also to have proceeded to the more arduous task of collecting the antient Laws of Scotland prior to James I.: and in 1607 he had advanced so far in this Undertaking as to exhibit to the Legislature a Copy of the Manuscripts which he had prepared for Publication, and for his encouragement therein a Special Act was passed.[3] The Work, usually known by the Title of Regiam Majestatem, was at length published, in the Original Latin, in 1609; and was followed soon after by a Version in the Scottish Language.

[1] *For the Title of this Work, the Privilege, Royal Commission, Preface, and Certificates of Authenticity, See Appendix G:* I. 1.

[2] *See a Copy of this Commission in Appendix G:* I. 2.

[3] *See the Act in Appendix G:* I. 3.

Other Commissions for "Surveying the Lawes" were issued at subsequent Periods. The Commission of 1628 after several Renewals was ratified by Parliament in 1633; and in 1681 another was issued which was again renewed in 1695. But the purpose intended was never accomplished.

Upon all these Editions from the earliest downwards, it is to be observed that they contain only a Selection from the Records of Parliament, of such Acts as were supposed by the Editors to be of greater and more permanent Utility; omitting such as were either temporary, or merely of a private and personal Nature [1].

THE STATUTES OF IRELAND from 10 Hen. VI. to 14 Eliz. were collected under the Authority of Sir Henry Sidney, Lord Deputy of that Kingdom in the Reign of Queen Elizabeth; [2] and being examined by the Justices of both the Benches, with The Chief Baron of the Exchequer and Master of the Rolls, and delivered by them to the Lord Deputy with their Hands subscribed thereto, they were afterwards, by the Advice of Lord Burleigh, then Lord High Treasurer of England, printed in the Year 1572. [3]

At a subsequent Period, namely in 1621, another Collection of the Statutes of Ireland from 3 Edw. II. to 13 Jac. I. was abstracted from the Parliament Rolls of that Kingdom by Sir Richard Bolton, Recorder of Dublin; afterwards Chief Baron of the Exchequer, and in 1639 Lord Chancellor of Ireland; and by Direction of Sir Oliver St. John, then Lord Deputy, that Collection was perused by the Chief Judges and the Master of the Rolls, and by them allowed and thought fit to be printed, together with so many of the Statutes formerly printed, as were not by express Words repealed. And it is deserving of Observation that they thought those Statutes formerly printed and not expressly repealed, should be printed again, for Two Reasons, as therein is stated; "the one, lest peradventure any should unadvisedly tax the Editor of Partiality, that Matters of great Moment were omitted, and Matters of less Consequence published; and the other was, that although those Statutes might be out of Use or determined at that Day, yet the same might well serve for an Historical Use, whereby might be discerned both the State of the Church and Commonwealth in those Times." [4]

In 1678 the Edition of 1621 was reprinted by the King's Printer, with the addition of the subsequent Acts, to the end of the Session 17 and 18 Car. II; and this Volume was reprinted in 1723 without any Additions.

In 1762 an Address was presented by the House of Lords in Ireland to the Lord Lieutenant, requesting that the Statutes at Large of that Kingdom should be printed and published, under the Inspection of the Lord Chancellor and the Judges. [5] They were accordingly published in the year 1765, in Seven Volumes Folio, comprehending the Statutes from 3 Edw. II. to 1 George III.: with an Eighth Volume containing Tables of the Titles of the Statutes in the several Volumes, and of the Private Acts from 1 Henry VIII. to 1 George III. and an Alphabetical Index to the Statutes.

In these Volumes, which in the Title Page are stated to be "Published by Authority," the Statutes to 17 & 18 Car. II. were reprinted from the Editions of 1621, 1678, and 1723; the Edition of 1572 not being noticed or referred to. For the period subsequent to 17 and 18 Car. II. recourse was had to the Sessional Publications printed by the King's Printers. The whole Work was compiled from these Sources without Variation; except that in some instances Errors of the Press were occasionally corrected by the Record; and that some Public Acts, of which the Titles only were specified in the former Printed Editions, were inserted at large from the Records. [6] Some Acts inserted in the Edition of 1572 are omitted from this Collection.

Additional Volumes, containing the Acts of subsequent Parliaments, were from time to time published, in consequence of occasional Addresses of the House of Lords for that Purpose: and in 1786 a Re-publication of all the former Volumes took place, with additional Volumes to 26 Geo. III. These were continued by subsequent Volumes, to the end of 40 Geo. III. A.D. 1800, when the Union took place between Great Britain and Ireland. [7]

In 1799 a Volume was published containing the Titles of the Statutes and of the Private Acts, and Indexes, to the end of the Session 38 Geo. III. 1798.

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[1] From the Period of Skene's Publication in 1597 down to the Union, the Acts of each Parliament and Session were regularly printed and published under the Authority of the Clerk Register; and under that Authority, but without any special Sanction by Parliament, Sir Thomas Murray published his Edition of the Statutes in 1681, annexing to it his Official Certificate of Authority; but his Text appears to be taken only from the Edition by Skene and the subsequent Sessional Publications.

[2] See Sir James Ware's Account of the Writers of Ireland, as translated and enlarged by Harris, Book II. Chapter 5. See also Zouch's Life of Sir Philip Sidney; chapter 1.

[3] *For the Title and Extract from the Preface to this Edition, See Appendix G:* II. 1.

[4] *See Appendix G:* II. 2.

[5] *See the Extract from the Lords Journals in Appendix G:* II. 3.

[6] *See Preface to this Edition in Appendix G:* II. 4.

[7] See Journals of the House of Lords in Ireland 20 February 1768; vol. iv. pa. 450: 15 February 1780; v. 156: 14 May 1784; v. 531: 1 February 1786; v. 668: 25 May 1789; vi. 313: 26 March 1792; vii. 67: 25 March 1794; vii. 253: 15 April 1796; vii. 465: 17 Sept. 1798; viii. 181: 22 July 1800; viii. 535.—See also as to printing, in Ireland, the English and British Statutes in force there, the same Journals 10 April 1786; v. 748.

Sect. II.

Of the Methods successively adopted for promulgating the Statutes, before and since the Union of Great Britain and Ireland.

The Promulgation of the Statutes, which formerly took place within the Realm of England, as well as in Scotland and Ireland, has been wholly superseded by the Practice of modern Times. Before the Introduction of Printing, the Publication of the Statutes of England was made by Means of Exemplifications thereof, sent to the Sheriffs, under the Great Seal, out of Chancery, with Writs annexed, requiring the Proclamation and Publication of the same by them,[1] and sometimes also directing Copies to be made and distributed, and the Sheriffs to return what was done by them thereupon. The earliest Statutes were published in this Manner; as appears not only by Copies of the Writs subjoined to the Records and Manuscripts of the respective Statutes, of the Thirteenth Century, but also by Original Writs still preserved in the Tower of London.[2]

In England printed Promulgations of the Statutes, in the Form of Sessional Publications,[3] began in the First Year of Ric. III. A. D. 1484, very recently after the Introduction of Printing; and in consequence thereof such Exemplifications and Writs as are above mentioned were soon altogether discontinued;[4] yet the Statutes themselves, continued nevertheless to be inrolled in Chancery; and some of the earliest Sessional Publications appear by their Form to have been printed from a Statute Roll. All the Original Bills and Acts now extant in the Parliament Office, are some Years subsequent in Date to the Commencement of the Printed Sessional Publications of the Statutes; and it is evident, from some of those Printed Sessional Publications in the Time of Hen. VII. whereof the contemporary Bills and Acts are still preserved, that such Bills and Acts, though concurrent in Time were not then uniformly used as the Original Text for such Publications. The Sessional Publications are at present, and have for a long Series of Years been printed entirely from Original Acts in the Parliament Office.[5]

In Scotland it was the exclusive Privilege and official Duty of the Lord Clerk Register to enter the Acts of Parliament in the proper Record, and to give authentic Copies of them to the Sheriffs, Magistrates of Boroughs, and such as might demand them. A Precept is extant for proclaiming and publishing the Statutes of Robert I. in the Year 1318; and there exists also a Parliamentary Ordinance made in the Reign of David II. 1366, by which the Acts of that Parliament are directed to be sent under Royal Seal to each Sheriff to be by him publickly proclaimed.[6] The earliest printed Publication of Statutes in Scotland took place in the year 1540-1.

In Ireland the Promulgation of such Statutes as were passed in England and transmitted to Ireland, was regularly made by means of a Transcript sent under Seal from England, with a Writ directed to the Chancellor of Ireland, requiring the same to be kept in the Chancery of that Kingdom, to be enrolled in the Rolls of the said Chancery, then to be exemplified under the Great Seal of Ireland, and sent unto and proclaimed in the several Courts and Counties throughout the Kingdom.[7] Sometimes the Writ was to the Justices, in Ireland, simply requiring Proclamation.[8]

With respect to the Statutes made in Ireland, Provisions are contained in several Acts for the special Proclamation of such Acts, so that the Penalties inflicted by them should not be incurred until after such Proclamation.[9] It appears also that it was usual to proclaim the Statutes in general by the King's Writ, made out by the Clerk of the Parliament.[10] Sessional Publications of the Acts did not take place in Ireland before the Reign of Charles I; and such Publications were not continued regularly and uniformly until after the Revolution.[11]

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[1] See 4 Inst. 26, 28: the Case of Heresy, 12 Rep 58: 2 Inst. 526: 3 Inst. 41: Hale on Parl. 36: Arg. 1. Ch. Rep. 51, 53. Copies of Parliamentary Proceedings, or Acts of State, though not Statutes, were occasionally proclaimed and published. See the Roll of the Ordinances of the Staple 27 E. III: and the Note in pa. 332 of this Volume.—Sometimes the Knights, Citizens, and Burgesses were simply charged upon their Return into the Country to shew and publish to the People the Matters agreed on in Parliament. Rot. Parl. 37 E. III. nu. 38.—Sometimes Copies were delivered to them of such Matters 'pur ent notifier en soun pays.' Rot. Parl. 9 Hen. IV. nu. 27.

[2] See Stat. Merton, 20 Hen. III. A. D. 1235,6, and the Notes thereto page 1—4 of the Statutes in this Volume: Stat. Marlbr. 52 Hen. III. A.D. 1267, and the Note in pag 25: Stat. Westm. 1. 3 Edw. I. A.D. 1275, and the Notes in page 39: Statutum de Finibus levatis 27 Edw. I. A.D. 1299, pa. 126—130: and numerous subsequent Instances. See also *Appendix C; and Appendix H.* I. *subjoined to this Introduction.*

[3] *See Catalogue of the Sessional Publications in Appendix B.*

[4] The last Proclamation Writ entered on the Statute Rolls, is at the end of Stat. 7 Hen. V. A.D. 1419; Lord Coke, 2 Inst. 526, says the Writ continued to issue till the Reign of Henry VII. In the Printed Editions of the Statutes, a Proclamation Writ is prefixed to the Statutes of 19 Hen. VII.

[5] See Commons' Journals vol. viii, 11th January 1661-2, when it was resolved that a Message should be sent to the Lords, requesting "that the Original Rolls of Acts of Parliament be kept in the Office, and not delivered to the Printer, but that true Copies be delivered to him from the Roll, fairly written and carefully examined and attested."

[6] *For Acts relating to the Promulgation of the Statutes in Scotland, See Appendix H.* II.

[7] See the Memoranda and Writs annexed to the English Statutes 12 Edw. II. Rot. Stat. m. 32. page 179 of the Statutes in this Volume.

[8] See the Memoranda at the End of several Statutes; 1, 2, 4, 5 Ed. III. pages 257, 261, 265 and 269 of the Statutes in this Volume; 25 Ed. III. page 324; 36 Ed. III. page 378.—As to the more antient Statutes, sent to Ireland, See Rot. Claus. 13 Ed. I. m. 5, d. quoted before Chapter III. Sect. II. page xxxviii note [4].

[9] See Irish Acts 12 Ed. IV. c. 2: 14 Hen. VII. c. 1: 28 Hen. VIII. c. 2. § 4: (for the Succession of the King and Queen Anne: the Clause for Proclamation of which is copied from the English Act 25 Hen. VIII. c. 22.): 33 Hen. VIII. c. 1. § 2. (enacting that the King and his Successors, Kings of England, should be always Kings of Ireland); 14 and 15 Car. II c. 18. § 12.

[10] See Irish Acts 12 Ed. IV. c. 2: 11 Eliz. Stat. 4. c. 1. § 10.

[11] *See the Preface to the Edition of the Irish Acts published by Authority, in Appendix G:* II. 4.

In GREAT BRITAIN the Public Inconvenience experienced from the defective Promulgation of the Statutes, led to the Adoption of new Measures in the Year 1796; by which, the Acts printed by the King's Printer, whose Authority has been long deemed sufficient to entitle his Printed Copies to be received in Evidence, in all Courts of Law,[1] were distributed throughout the Kingdom as speedily as possible after they had received the Royal Assent:[2] And the Experience of the good Effects of those Measures led soon afterwards to their Execution in a much greater Extent.

After THE UNION of Great Britain and Ireland, a Select Committee of the House of Commons was appointed in the first Session of the United Parliament, to consider of the most effectual Means of Promulgating the Statutes of the United Kingdom; upon whose Report Resolutions for that Purpose were adopted by the Commons, and having been agreed to by the Lords, they were presented to His Majesty by a Joint Address of both Houses; and His Majesty was thereupon pleased to give Directions accordingly.[3]

By the Tenor of these Resolutions, His Majesty's Printer was authorized and directed to print not less than Five thousand five hundred Copies of every Public General Act, and Three hundred Copies of such Local and Personal Acts as were printed[4]; the Public General Acts to be transmitted, as soon as possible after each Bill should receive the Royal Assent, to the Members of both Houses of Parliament, the great Officers and Departments of State, Public Libraries, Courts of Justice, Sheriffs, Municipal Magistrates, and Resident acting Justices of the Peace, throughout Great Britain and Ireland; according to a prescribed Mode of Distribution; with a Direction that every Chief Magistrate and Head Officer of every City, Borough, or Town Corporate in England and Ireland, and of every Royal Burgh in Scotland, and every Sheriff, Clerk of the Peace, and Town Clerk in the United Kingdom, receiving such Copies, should preserve them for the Public Use, and transmit them to his Successor in Office: And this Mode of authenticating and Promulgating the Statutes is now carried into Execution, throughout every part of the United Kingdom.

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[1] By Stat. 41 Geo. 3. (U.K.) c. 90. § 9. it is expressly provided, that the Copy of the Statutes of England and Great Britain printed by the King's Printer, shall be Evidence in Ireland, and that the Copy of the Statutes in Ireland, printed by the King's Printer, shall be Evidence in Great Britain, of the Statutes respectively passed, previous to the Union between Great Britain and Ireland.

[2] See Commons' Journals, Vol. lii. 2 Nov. 5 Dec. 1796: 10, 17. 20, 27 March; 3, 27 April: 2 June 1797.

[3] See Commons' Journals, Vol. lvi. 26 February; 28 April; 6, 7, 8 May; 3, 5, 8, 9 June 1801.

[4] See the End of Note 5, which begins in page xxxv, of this Introduction.

APPENDIX

TO

INTRODUCTION.

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APPENDIX. A.

CATALOGUE

OF PRINTED COLLECTIONS, TRANSLATIONS, AND ABRIDGEMENTS OF

The Statutes

Of *England* and *Great Britain.*

N°	Date when printed.	Printer's Name.	TITLE OR DESCRIPTION.	Size.
1	1481 or before.	Lettou and Machlinia.	Vieux Abridgement des Statutes. *The latest Act abridged is* 33 *H. VI. c.* 13. *A. D.* 1455.	thin fol.
2	1482 or 1483	Machlinia.	Nova Statuta. *Containing the Statutes from* 1 *Ed. III. to* 22 *Edw. IV.*	fol.
3	1484	Machlinia, or Caxton.	Statuta apd Westmonasteriū edita anno primo Regis Ricardi tercii. *See Appendix* B.	fol.
4	1488 or after.	Machlinia, or Caxton.	Statutes made in the First, Second, and Third Parliaments of Henry VII. *See Appendix* B.	fol.
5	1491 or after, and before 1502.	Wynkyn de Worde.	Statutes 1, 3, & 4 H. VII. *See Appendix* B. *The following are the Titles or Introductions to each Year:* " ¶ The Kynge our Sovereyn lorde Henry the seuenth after the conquest by the grace of God kynge of Englonde and of Fraunce and lord of Irlonde at his Parlyament holden at Westmynster the Seuenth Day of Nouembre in the first yere of his reigne to thonour of God and holy chirche and for the comen profyte of the royame by thassent of the lordes Spirytuell and temporell and the comons of the sayde Parlyamente assembled and by the Auctorite of the sayde Parliamente hath do to be made certeyn Statutes and Ordinaunces in manner and forme following." " ¶ The second Parlyament holden in the thirde yeer of kinge Henry the VII." " ¶ To the Worship of God and holy chirche and for the comen wele and profit of this reame of Englonde &c. the xiii Jan. in the fourth yere of his reyne.	fol.
			Statutes " Anno vii° Henrici Septimi."	fol.
6	1495 or after.	W. de Worde.	Anno xi Henrici vij. Statuta bonum publicum concernencia edita in parliamento tento apud Westmonasterium xiiij die Octobris anno regni illustrissimi Dñi nostri Regis Henrici septimi xi°. *See Appendix* B.	fol.
7	1497 or after, and before 1504.	Rich. Pynson. King's Printer after 1508.	Nova Statuta. *Containing the Statutes from* 1 *Ed. III. to* 12 *Hen. VII. inclusive.*	fol.
8	1499.	R. Pynson.	Abbreuiamentum Statutorum. *A Reprint and Continuation of No.* 1. *See No.* 17.	12mo
9	1502 or after.	W. de Worde.	A Reprint of the Statutes xi Hen. VII. with the Addition of The Statutes xii Hen. VII. *See Appendix* B.	fol.

No.	Date when printed.	Printer's Name.	TITLE OR DESCRIPTION.	Size.
10	1504	William Faques. King's Printer.	Anno xix Henrici VII. Statuta bonum publicum concernentia edita in Parliamento tento apud Westmonasterium xxv die Januarii anno regni illustrissimi Domini nostri Regis Henrici Septimi. *These were reprinted by Pynson when he became King's Printer. Several of the Sessional Publications of this Reign were also reprinted by W. de Worde and others. See Appendix, B.*	4to
11	1508 1514, 1519, &c.	R. Pynson.	Parvus Codex qui Antiqua Statuta vocatur. *This Description is given in the Colophon at the End of the Table of Statutes, &c.*	12mo
12	1514 or after.	R. Pynson.	Statutes 3, 4, and 6 Henry VIII. "Emprynted by the Commandment of our Sovereign Lord the King and his Councell." ☞ *It appears that the Statutes after this Time continued to be regularly published at the End of each Session by the King's Printer, and were reprinted by other Printers. See Appendix B.*	fol.
13	1519 1527, &c.	John Rastall.	The Statutes—*more fully described at the Conclusion thus:* "The Abbreviacõn of Statutis translatyd out of French into English by John Rastall and imprinted by the same John the xxv day of Octobre in the xi yere of the reign of our sovereign Lord Kyng Henry the VIII. with the privilege of our seyd soverein Lord, &c.	8vo
14	1521	R. Pynson.	Owen's Abridgement. *See post, No. 17.*	
15	1525 &c.	R. Redman.	Antiqua Statuta. *Nearly the same as Pynson's 1508, &c. ante No. 11.*	12mo
16	1527 or after.	R. Wyer.	The Statute upon the Assyse of Bread and Ale after the Pryce of a Quarter of Wheate, &c.	4to
17	1528	R. Pynson.	Le Breggement de touz les estatuz auxibien des veillez cõe des nouellez nouellement abriggez correctez et amẽdez par Guillaume Owein de Medill Temple. Et imprimez par Richarde Pynson tanq; al xix an du tres victorieux et soveraigne Roy Hẽry le VIII. defensour de la foy. Anno Dñi M.D. xxviii.	12mo
18	1528	J. Rastall.	Magnum Abbreviamentum Statutorum Anglie usq; ad annum xv Hen. VIII. inclusive. *This was also reprinted by others. In some Copies the Acts of the Years 21, 22, and 23 are in a separate Abridgement added at the End.*	12mo
19	1529 1540	T. Berthelet. King's Printer.	The Statutes. *See post, No. 31.*	fol.
20	1531 or before.	R. Pynson.	The Statutes of Westmynster commonly called Westmynster Prymer made in the third yeare of Kinge Edwarde I.	fol.
21	1531 1532, 1540, &c.	T. Berthelet.	Magna Carta cum aliis antiquis Statutis; quorum Catalogum in fine operis reperies. *Nearly the same as Pynson's 1508, &c. ante, No. 11.*	16mo
22	1532 1540, &c.	T. Berthelet.	Secunda Pars Veterum Statutorum. *The two last were both frequently reprinted by Berthelet and others.*	16mo
23	Uncertain.		Here begynith the hole Abrygemẽt of all the Statutz aswel the olde as the New with divers other tytles & Statutes which were never imprynted before in englishe as shall appere to al those that dilygẽtly serchyth. Cum gratia & privilegio a rege indulto.	
24	1533	W. Rastall.	The grete Abregement of the Statutys of Englond untyll the xxij yere of Kyng Henry the viij. Cum privilegio regali. *Abridgements of the Years 22, 23, and 24 are annexed.*	8vo

No.	Date when printed.	Printer's Name.	TITLE OR DESCRIPTION.	Size.
25	1534 1540 1542 Ferrers's Translation.	R. Redman. Et Redman. T. Petyt.	The Boke of Magna Carta with diuers other Statutes, whose names appere in the next lefe folowynge, translated into Englyshe. Facessat calumnia.—*At the End* "Thus endyth the boke called Magna Carta translated out of Latyn and Frenshe into Englyshe by George Ferrerz." Imprynted, &c.—Cum privilegio Regali. *The Editions* 1540 *&* 1542, *have the following Title:* "The Great Charter called in Latyn Magna Carta with divers Olde Statutes whose titles appeare in the next leafe. Newly corrected. Cum privilegio ad imprimendum solum."	8vo
26	1538	T. Berthelet.	Statutes to be executed by Justices of the Peace, &c. "In this Book are conteyned those Statutes, whiche to put in Execution the Justices of Peace, Sheriffes, baylyffes, constables, and other Ministers of Justice, were of late admonished by the Kynge's Maiestie, on peyne to runne into his gracis mooste hyghe indignation and displeasure."	8vo
27	1538 1540	R. Redman. Eliz. Redman.	The greate Abbrydgement of all ye statutes of Englande vntyll the xxx yere of the reygne of our moste drad soueraygne lorde kynge Henry the eyght. To whom be all honour, reuerence, and joyful contynuaunce of his prosperous reygne, to the pleasure of God and weale of thys hys realme. Amen. Cum privilegio Regali. *The Edition* 1538, *has a Supplement of the* 31*st Year.* *That of* 1540 *has a Supplement of the* 31*st &* 32*d Years.*	8vo
28 29	1542	W. Myddylton. T. Petyt.	The greate Abbrydgement of all ye Statutes of Englãde, vntyl the xxxiii yere of the reygne of our moste drad soueraygne lord King Henry the eyght. To whom be all honour, reuerence, and joyful contynuance of his prosperous reygne, to the pleasure of God and weale of thys hys realme. Amen. Cum privilegio Regali.	8vo
30	1543	T. Berthelet.	The Statutes whiche the Justices of Peace, mayres, sheriffes, bayliffes, constables, and other Offycers haue been commanded by the kynges maiesty, not only by his proclamations, to put in execution, vpon peyne of his hygh displeasure, but also by an Acte of parlyament made and established the 33 yere of his hygheness mooste graciouse reigne. *See Stat.* 33 *Hen. VIII. c.* 10.	8vo
31	1543 1564	T. Berthelet. Wykes.	The Statutes in English from Magna Carta to 19 H. VII. inclusive. "In this Volume are conteined the Statutes made and establiſshed from the time of kyng Henry the thirde, vnto the fyrste yere of the reigne of our most gratious and victorious soueraine Lorde king Henry the viii. Anno M.D.XLIII."	fol.
32	1543, 1544, 1551 1563 1575	T. Berthelet. King's Printer. Powell.	Statutes of Henry VIII. "The Second Volume conteyninge those Statutes which have been made in the tyme of the most victorious reigne of our most gracious soueraigne lorde kyng Henry the Eyght. Londini in ædibus Thomae Bertheleti, Typographi regii excus'. Anno verbi incarnati MDXLIII. Cum privilegio ad imprimendum solum. *The First Edition contains the Acts only to* 33 *H. VIII. inclusive.*	fol.
33	Between 1541 and 1548	W. Myddylton, to 21 H. VIII. inclusive; and thence T. Berthelet.	The great Boke of Statutes cõteynyng all the Statutes made in the Parlyamentes from the begynnynge of the fyrst yere of the raigne of kynge Edwarde the thyrde tyll the begynnyng of the xxxiiii yere of the most gracyous raigne of our soueraigne Lorde kyng Henry the viii. Cum privilegio. *It seems probable that the Title Pages and Tables of these Collections, No.* 32 *&* 33. *were frequently prefixed to Collections of several Sessional Publications bound together. The Signatures, paging, and Dates of several Sessions in such Collections being separate; and different Editions of the several Sessions being found in different Collections.* *See* List of Sessional Publications, Appendix B.	fol.

No.	Date when printed.	Printer's Name.	TITLE OR DESCRIPTION.	Size.
34	1551	T. Gaultier. T. Powell.	The newe greate abredgement, brefly conteyning all thactes and Statutes of this realme of England, vntyl the xxxv yere of the reigne of our late noble kynge of most worthye and famous memorye Henry VIII. (whose soule God pardone) newly reuysed, trulye corrected and amended, to the great pleasure and commoditie of all the readers thereof.	8vo
35	1556	R. Tottell.	Magna Charta cum Statutis quæ Antiqua vocantur, jam recens excusa, & summa fide emendata, iuxta vetusta exemplaria ad Parliamenti rotulos examinata: quibus accesserunt nonnulla nunc primum typis edita: apud Richardum Tottelum 12 Jun. 1556. Conferre and then preferre. Cum priuilegio ad imprimendum solum. *An Edition by* Tottell *of the* Secunda Pars Veterum Statutorum *dated 1555 or 1556 is generally bound up with the* Magna Charta, &c. *of* 1556. *See No.* 22.	8vo
36	1556	T. Marshe.	Magna Carta et cetera antiqua statuta nunc nouiter per diuersa exemplaria examinata et summa diligentia castigata et correcta: cui adjecta est noua Tabula valde necessaria. First prove and then reprove.	8vo
37	1557 1559, 1565, 1574, &c. W. Rastall's Collection. *See No.* 42.	R. Tottell.	A Collection of all the Statutes (from the begynning of Magna Carta unto the yere of our Lord 1557) which were before that yere imprinted. And furst a Pistle * necessary to be redde by them that shall use this booke. In ædibus Richardi Tottelli.—Cum privilegio ad imprimendum solum. * The Epistle to the Reader from "William Rastall, Serjeant at Law." *In this Collection the Statutes previous to Henry VII. are in French or Latin respectively. See No.* 42.	4to
38	1560	R. Tottell.	Pulton's Abstract of Penal Statutes. *See No.* 44.	
39	1564	H. Wykes.	Statutes from Magna Carta to 19 H. VII. *See ante, No.* 31.	fol.
40	1576 1587	R. Tottell.	Magna Charta cum statutis, tum antiquis tum recentibus, maximopere animo tenendis, nunc demum ad unum tipis edita; per Richardum Tottell; [Tottill] Anno domini 1576 [1587.] Cum priuilegio ad imprimendum solum.	8vo
41	1602 1608, 1618, &c.	T. Wight, Stationers' Company.	Magna Charta cum statutis tum antiquis tum recentibus, maximopere animo tenendis, jam nouiter excusa, & summa diligentia emendata & correcta. Cui adjecta sunt nonnulla Statuta nunc demum tipis ædita. *In the Editions 1608, 1618, &c. modern Acts were from Time to Time added at the End.*	8vo
42	1579 1582, 1587, 1589, 1591, 1598, 1603, 1611, 1615, 1621. W. Rastall's Collection in English. *See No.* 37.	C. Barker, Queen's Printer.	A Collection of all the Statutes, from the beginning of Magna Charta unto this present yeare of our Lord God 1579, newlye augmented, and diligentlie perused. Whereunto are added two verie necessarie Tables. The one declaringe by order of Alphabet, all the seuerall Titles, with the speciall & most necessarie matters contayned therein. Whereby Justices of Peace, Coroners, Eschetors, Maiors, Shiriffes, Bayliffes, Constables, &c. and all other her hyghnes Subiectes, shall (under their apt Titles in the same Table) finde what and wherewyth they are charged by any maner of Statute. In the other Table being at thend of this Booke are set downe the seuerall times of the Parliaments, wyth the Titles at large, of every the Statutes made therein, whereby the reader may easilie finde what Statute it shall please him to seeke for, after the verie same order, which in the sundry Volumes of Statutes at large is used. Anno Domini 1579. *The Edition 1579 is the earliest yet found of this Collection, which contains the Statutes previous to Henry VII. translated into English. See No.* 37. *The subsequent Editions state in their Title Pages that the Collection is "under Titles placed by order of Alphabet:" and add the Abridgement of succeeding Statutes from time to time: That of* 1621 *includes the Statutes of* 7 *Jac. I.*	small fol.
43	1587	C. Barker.	The whole Volume of Statutes at large which at anie time heeretofore have beene extant in print, since Magna Charta until the xxix. yeere of the reigne of our most gratious souereigne Ladie Elizabeth by the Grace of God Queene of England, France, and Ireland, Defender of the Faith, &c. With Marginall Notes and a Table of necessarie use newly added hereunto.—Cum privilegio Regiæ Majestatis.	fol.

N°	Date when printed.	Printer's Name.	TITLE OR DESCRIPTION.	Size.
44	1594 first printed, 1560, 1577, 1596, &c. Pulton's Penal Statutes.	R. Tottell.	An Abstract of all the penall Statutes, which be in generall force and vse, wherein is conteined the effect of all those Statutes, which do threaten to the Offenders thereof, the losse of life, member, lands, goods or other punishment, or forfeiture whatsoever. Whereunto is also added, in their apt titles, the effect of such other Statutes, wherein there is anie thing materiall, and necessarie for each Subject to knowe. Moreouer the authoritie and dutie of all Justices, sheriffes, coroners, eschetors, maiors, baylifes, customers, comptrollers of custome, stewardes of leetes and liberties, aulnegers, and purveyors, and what things by the letter of seueral Statutes in force, they may, ought, or are compellable to doe. Collected by Fardinando Pulton of Lincolnes Inn gentleman.	8vo
45	1606, 1608. 1612, 1617, 1618, &c. Pulton's Kalendar, and Abridgement.	Stationers' Company.	A Kalendar or Table comprehending the effect of all the Statutes that have been made and put in print from Magna Carta to 4 Jac. I. Showing which are repealed, expired, altered, worn out of use, made for particular persons or places, and which are general, in force and use: Whereunto is annexed an Abridgement of all the Statutes whereof the whole or any part is general, in force and use; with Notes of such Matters as are doubtful, &c. *Editum per mandatum domini Regis.* Collected by Fardinando Pulton of Lincoln's Inn Esq. *Cum privilegio.*	fol.
46	1618, 1621. usually called Rastall's Statutes.	Norton and Bill. Kings Printers.	The Statutes at Large; Conteyning all such Acts which at any time heretofore have beene extant in print from Magna Charta [until 16 Jac.I.] Divided into Two Volumes; with Marginal Notes and divers necessary Tables newly added thereunto. Together with especial Markes whereby the Reader may easily know which of the same Acts are wholly voyd either by Expiration or Repeale. *The latest Statutes printed in this Edition are those of the Session 7 Jac. I. being the last preceding the Time of Publication in 16 Jac. I.*	fol.
47	1618, 1628, 1632, 1635-6, 1640, 1661, 1670. Pulton's Statutes.	Fletcher & al for Stationers' Company.	A Collection of sundrie Statutes frequent in use: with Notes in the Margent and references to the Booke cases, and Bookes of Entries and Registers where they be treated of. Together with an Abridgement of the residue which be expired, repealed, altered, and worne out of use, or doe concern privat persons, places, or things, and not the whole Commonwealth. Whereunto be added certain material Statutes never printed before in English. Also a necessary Table or Kalendar [*i. e. Index of principal Matters*]: By Fardinando Pulton of Lincolnes Inn Esq. *The first Edition of this Collection ended with 7 Jac. I. The Sentence in the Title, respecting the Statutes never before printed, is omitted in the Title Page of some of the subsequent Editions:—The several Editions were successively enlarged by inserting the Statutes passed after 7 Jac. I.* *The last Edit. 1670, is by Manby, Editor of No. 49., and contains the Statutes to 22 Car. II. the Parliament ending 11th April 1670.* ☞ *N.B. A Collection of* ACTS *and* ORDINANCES *beginning 1640, (16, 17 Car.I.) and continued till 1656, was published in 1658, during the* USURPATION, *by Scobell, as a Continuation of Pulton. It was stated to be examined by the Original Records, and printed by special Order of Parliament; Scobell being then Clerk of the Parliament. Partial Collections and Abridgements of Acts passed during the Usurpation, were also printed at various Periods in 1646, 1649, 1650, 1651, 1652, 1654, 1655, 1657, &c. by Husband, Field, Wright, Hills, Twyford, and others.*	fol.
48	1667.	Assigns of J. Bill, and C. Barker, King's Printers.	A Collection of all the Statutes at large now in force; beginning 16 Car. I. 1640, & ending 19 Car. II. 1667, with the Titles of such as are expired & repealed. In Two Parts. Together with Notes in the Margin & Tables of the several Sessions of Parliament and of the Titles of all the Statutes both Public & Private: and an Alphabetical Table of all the Matters contained in the whole book.	fol.

N°	Date when printed.	Printer's Name.	TITLE OR DESCRIPTION.	Size.
49*	1667, &c. Manby's Statutes.	Streater & al.	A Collection of the Statutes made in the reigns of King Charles I. and II. with the Abridgement of such as stand repealed or expired. Continued after the Method of Mr. Pulton, with References one to the other, &c ; Titles of the Private Acts ; and a Table of principal Matters. By THOMAS MANBY Esq.—London printed, &c. Cum gratia & Privilegio Regie Majestatis. *The First Edition ended with the Statutes* 19 *Car. II. The Statutes* 20 *and* 22 *Car. II. were added afterwards.*	fol.
50	1676 1681, 1684, 1695, Keble's Statutes.	Assigns of John Bill, & al King's Printers.	The Statutes at Large in Paragraphs [the Title to the Edit. 1681. adds here " and Sections or Numbers,"] from Magna Charta until this time, [" untill the reign of K. Charles II." Edit. 1684, &c.] carefully examined by the Rolls of Parliament: With the Titles of such Statutes as are expired, repealed, altered or out of use. Together with the Heads of Pulton's, or Rastall's Abridgements in the Margin, and the addition of New References from other Books of Law ; and a new Table. [*i. e. Index*] : By JOSEPH KEBLE of Gray's Inn Esquire." *The Edition* 1695 *continues the Title thus* ; " In this Impression are added all the Statutes made in the reign of K. James II. King William and Queen Mary, to the End of the last Session of Parliament May 3, 1695 ; in the 7th year of the Reign of his Majesty K. Will. III. *In Two Volumes.*	fol. fol.
51	1706	Bill, &c. King's Printers.	The Statutes at large in Paragraphs and Sections or Numbers from Magna Charta to the end of the Session of Parliament, March 14, 1704 ; in the fourth year of the Reign of her Majesty Queen Anne. Carefully examined by the Rolls of Parliament. With the Titles of such Statutes as are expired, repealed, altered, or out of use ; together with the Heads of Pulton's or Rastall's Abridgements in the Margin ; and above One thousand References from other Books of Law, with Alphabetical Tables : In Three Volumes. Vol. I. contains the Statutes, in English, from Magna Carta to 43 Eliz.—Vol. II, from 1 Jac. I. to 6 & 7 Will. III. with Indexes to all the Statutes in both Volumes. These two Volumes appear very similar to the latest Edition of Keble's Statutes 1695, from which perhaps they differ in nothing but the Title Page. The Title in Vol. III. in some Copies is " A Supplement to the last Edition of the Statute Book, beginning with the seventh and eighth years of the Reign of King William III. and continued to the End of the Session of Parliament, March 14, 1704, in the fourth year of the Reign of Her Majesty Queen Anne ; carefully examined by the Rolls of Parliament. With an Alphabetical Table." In other Copies the Title of this Vol. III. is thus varied " The Statutes at Large ; beginning, [&c. as before]—With an Alphabetical Table. Vol. III."	fol.
52	1708	Bill & al. King's Printers.	Addenda to the third Volume of the Statutes at large ; beginning with the fourth year of the Reign of Q. Anne, and continued to the End of the last Session of Parliament, April 1, 1708, in the seventh year of her Majesty's Reign. Carefully examined by the Rolls of Parliament. With an Alphabetical Table.	fol.
53	1724	Baskett & al. King's Printers.	Statutes at Large from the seventh year of Q. Anne to the End of the eighth and last Session of the fifth Parliament of Great Britain, 7th March 1722, 8 Geo. I. Carefully examined by the Rolls of Parliament. With an Alphabetical Table. In Two Volumes. [*These two Volumes serve as Vol. IV. and V. of the Statutes printed in* 1706, *and the Addenda* 1708. *No.* 51, 52. *The Table is at the End of the Second Volume.*]	fol.
54	1734, 1735, Hawkins's Statutes.	Baskett, &c. King's Printers.	The Statutes at Large from Magna Charta to the Seventh Year of King George the Second inclusive. In Six Volumes, by WILLIAM HAWKINS Esq. Serjeant at Law. In most Copies of this Work, Magna Carta and the Charter of the Forest, are printed from the Statute Roll in the Tower ; though by an Error of the Press the Quotation " Ex MS. in Bibliotheca Cotton" is printed at the beginning of the Charter of the Forest ; the Quotation in the subsequent Pages being " Ex Rot. Orig. in Turr. Lond." But one Copy, at least, of this Volume still exists in which the Great Charter is printed from 2 Inst. and also from MS. Cott. Claud. D. II. and the Charter of the Forest from that MS. only. It may therefore be concluded that in the general impression these Pages were cancelled, and the Copies printed from the Statute Roll substituted in their place.	fol.

N°	Date when printed.	Printer's Name.	TITLE OR DESCRIPTION.	Size.
55	1736	Baskett & al. King's Printers.	Statutes at Large from the ninth year of K. Geo. I. to the End of the seventh and last Session of the seventh Parliament of Great Britain, 7 Geo. II. Carefully examined by the Rolls of Parliament. With an Alphabetical Table. *This serves as Vol. VI. of the Edition* 1706, *&c. No.* 51, 52, 53. *and brings that up to the same Period as Hawkins's Edition. The Six Volumes are preserved in some Libraries bound uniformly and lettered* 'Keble's Statutes.'	fol.
56	1739 1762 1766 1772 Cay's Abridgement.	King's Printer.	An Abridgement of the Public Statutes in force and use from Magna Charta to 11 Geo. II. In Two Volumes: By JOHN CAY Esq. *A New Edition, continued to* 1 *Geo. III. was published in* 1762, *by H. B. Cay, Esq; and in* 1766 *a separate Volume, containing the Statutes from* 11 *Geo. II. to* 1 *George III; as a Supplement to the First Edition.*	fol.
57	1742 1759	Baskett & al. King's Printers.	Statutes at Large from the seventh year of King George II. to 14 George II. inclusive. To which is prefixed a Table of the Titles of all the Publick and Private Statutes during that Time. Vol. VII. *This makes Vol. VII. as well to Hawkins's Edition No.* 54. *as to the Edition* 1706, *&c. No.* 51, 52, 53, 55. *There is an Index to this Volume; at the End.*	fol.
58	1758, 1759	Baskett & al. King's Printers.	Statutes at Large 15 Geo. II. to 23 Geo. II. inclusive. With a Table of the Titles of all the Publick and Private Statutes during that Time. Vol. VIII.	fol.
	1758, 1759	Baskett & al. King's Printers.	Statutes at Large 24 Geo. II. to 30 Geo. II. With a Table of Titles, &c. Vol. IX. *An Index to both Volumes is printed at the End of Vol. IX.*	fol.
59	1758 Cay's Statutes.	Baskett & al. King's Printers.	The Statutes at Large from Magna Charta to the thirtieth Year of King George the Second inclusive. In Six Volumes, by the late JOHN CAY Esq. *In* 1769 *and* 1771 *Two Volumes were published, and in* 1773 *a Third, to continue this Edition to* 13 *Geo. III. with Indexes at the End of the Vols.* 1771 *and* 1773. *These serve as Volumes* VII, VIII, IX *of Cay's Edition, and* X, XI, XII *of Hawkins's.*	fol.
60	1762, 1765 1769, 1770 Ruffhead's Statutes.	Baskett & al. King's Printers.	The Statutes at Large from Magna Charta to the End of the last Parliament, 1761. In Eight Volumes; by OWEN RUFFHEAD Esquire.	4to
		Baskett & al. King's Printers.	The Statutes at Large from 2 Geo. III. [exclusive] to 5 Geo. III. [exclusive.] With a Copious Index [to the Statutes from Magna Carta to 4 Geo. III. inclusive] and an Appendix, consisting of obsolete and curious Acts, some of which were never before printed.—Volume the Ninth.	4to
	1785	Eyre and Strahan. King's Printers.	The Statutes at Large from Magna Charta to 25 Geo. III. inclusive, with a copious Index, and an Appendix consisting of obsolete and curious Acts, some of which were never before printed. By Owen Ruffhead Esq.—A new Edition, in Ten Volumes, revised, corrected, and continued by CHARLES RUNNINGTON Esquire. *These Editions have been regularly continued by additional Volumes.*	4to
61	1762, 1769 Pickering's Statutes.	Printer to Cambridge University.	The Statutes at Large from Magna Charta to the End of the Eleventh Parliament of Great Britain, Anno 1761. Carefully collated and revised, with References, a Preface, and a new and accurate Index to the whole. By DANBY PICKERING of Gray's Inn Esquire. Twenty-four Volumes. *This Edition has been regularly continued by additional Octavo Volumes.*	8vo
			[*Several Abridgements of the Statutes, and Collections or particular Selections from them, have from time to time appeared, which do not seem worthy of specific Notice. Such are Wingate's Abridgement, in several Octavo Volumes; Annual Abridgements, in thin Folio Volumes or Parts printed by the King's Printer during the early Part of the present Reign; Williams's Digest of the Statute Law; Addington's Penal Statutes, &c. &c.*]	

APPENDIX. B.

PRINTED SESSIONAL PUBLICATIONS

OF THE STATUTES

OF

ENGLAND.

These Publications, from 1 *Ric. III. to* 3 *Car. I. inclusive, contain the Body of the Statute as made in each Session; the several Acts or Chapters thereof, being distinguished by Numbers and Titles. From* 16 *Car. I. they consist of the several Acts of the Session; each being printed separately, but paged progressively, from the beginning to the End of the Session. Of many of the Sessions several Editions were printed. From the Time of the Union with Scotland, the Sessional Publications are preserved (in a Series nearly perfect) in the Office of the Clerk of the Fees, at the House of Commons of the United Kingdom; where some of the Sessional Acts from* 1 *William and Mary to* 1 *Anne, are also to be found; but none previous to* 1 *William and Mary. In the Library of Norwich-Cathedral, the Sessional Publications from* 1 *Jac. II. to* 1 *Anne are complete in* 14 *Volumes. Some of the earliest Sessional Publications are preserved in various Public Libraries, but no perfect Series has yet been collected together; and of some few Years, no printed Copy is now known to exist. None of the Private Acts are included in any of these Publications; but their Titles are prefixed or subjoined to the Statutes of each Session after* 13 *Eliz. in Tables of Acts not printed.*

A.D.	Year of the King.	Printer's Name.	Year when printed.
1483	1 Ric. III.	Caxton or Machlinia.	1484
1485	1 Hen. VII.	Caxton.	about 1488
1487	3 —	W. de Worde.	
1488	4 & 5 —		
		W. de Worde.	1491
1491	7 —	J. Notary.	1507
1495	11 —	W. de Worde.	1495, 1502
		J. Notary.	1507
1496	12 —	W. de Worde.	1497, 1502
1503	19 —	W. Faques.	1504
		W. de Worde.	1504, 1506
		J. Notary.	1507
		Pynson.	1508
1509	1 Hen. VIII.	Berthelet.	1551
1511, 12	3 & 4 —	Pynson.	1514
1512	4 —	Berthelet.	1552
1513	5 —		
1514	6 —	Pynson.	1514
		Berthelet.	1552
1515	7 —		
1522, 3	14 & 15 —	Pynson.	1523
		J. Rastell.	1530
1529	21 —	Berthelet.	
		Powell.	1562
1530	22 —	Berthelet.	1531
1531	23 —	Berthelet.	
1532	24 —	Berthelet.	1538, 1546

A. D.	Year of the King.	Printer's Name.	Year when printed.
1533	25 HEN. VIII.	Berthelet.	——
		Marshe or Powell.	1562
1534	26 —	Berthelet.	——
1535	27 —	Berthelet.	——
			1546
		Powell.	1562
1536	28 —	Berthelet.	——
1539	31 —	Berthelet.	1539
		——	1546
		E. Redman.	——
1540	32 —	Berthelet.	1540
1541, 2	33 —	Do.	1542
1542, 3	34&35 —	Do.	1543
1543	35 —	Do.	1544
1545	37 —	Do.	1546
1547	1 EDW. VI.	Grafton.	1548
1548	2 & 3 —	Do.	1549
			1552
1549	3 & 4 —	Do.	1549
	5 & 6 —	Do.	1553
1552	7 —	Do.	1552
1553	1 MAR. Ses. 1.	Cawood.	1553
1553	Ses. 2.		1554
1553	Ses. 3.	Do.	
1553			1554
	1 & 2 PH. & MAR.	Do.	
1554	2 & 3 —	Do.	1555
1555	4 & 5 —	Do.	1555
1557			1558 (misprinted 1555)
	1 ELIZABETH.	Jugge and Cawood.	1558
1558, 9		Jugge and Cawood.	1559
1562, 3	5 —	Jugge.	1563
1566	8 —	Do.	1556
	13 —	Jugge and Cawood.	1567
1571	14 —	Jugge.	1571
1572	18 —	Do.	1572
1575, 6	23 —	Chr Barker.	1576
1581, 2	27 —	Do.	1582
1585	29 —	Do.	1585
1587	31 —	Do.	1587
1589	35 —	Do.	1589
1593	39 —	Do. (Dep.)	1593
1597	43 —	R Barker.	1597
1601	1 (or 2) JAC. I.	Do.	1601
1604	3 —	Do.	1604
1605	4 —	Do.	1606
1606, 7	7 —	Do.	1607
1609, 10	21 —	Do.	1610
1623	1 CAR. I.	Norton and Bill.	1624
1625	3 (or 3 & 4)	Barker and Bill.	1630
1627	16 —	Norton and Bill.	1628 [1]
1640		Barker.	1640
[2]	12 CAR. II.		1641, 2
1660	13 — st. 1.	Bill	1660 [3]
1661	st. 2.	Bill & al	1661, 2
	13 & 14 —	Do.	1661
1662	15 —	Do.	1662
1663		Do.	1663

[1] The Imprint is as follows: "London, printed by Bonham Norton and John Bill, Printers to the King's most Excellent Majestie, Anno Dom. 1628. Cum privilegio."—In this Publication the King's *first* Answer to the Petition of Right on June 2, 1627, and also his Speech on making the *second* Answer (soit droit fait come est desiré) on June 7, together with his Speech at the Close of the Session, are all printed at length. In January 1628, at the Commencement of the Second Session of this Parliament, (which was suddenly determined without any Act being passed,) a Committee was appointed to inquire as to the printing of these Additions to the Petition of Right, when on Examination of the Printers it appeared, that 1500 Copies of the Petition, with the King's *second* Answer only thereto, had been printed during the preceding Session, "whereof few were divulged:" and that immediately after the Conclusion of that Session those Copies were suppressed, and the others, with the Additions, printed by Special Warrant for the Purpose. See Commons' Journals, vol. i. pa. 920, 921, 923, 924; January 20, 22, 23, 27, 30: and State Trials, Vol. vii, at the End of the Proceedings in Parliament relating to the Liberty of the Subject, which are annexed to the Case of the Habeas Corpus brought by Sir Thomas Darnell and others. In the Editions of Pulton's Statutes, printed in 1636 and 1640, both the Answers, as also the King's Speeches, are reprinted precisely as they appear in the Sessional Volume. See post, Appendix F. pa. lxxvii; as to the Inrollment of the Petition and Answer.

[2] As to Acts and Ordinances during the Usurpation, See Note to Appendix A. No. 47.

[3] At the End of the last Page of this Volume is printed "Jo. Browne, Cleric. Parliamentorum."

A. D.	Year of the King.	Printer's Name.	Year when printed.
1664	16, & 16, 17 CAR. II.		
1665	17 —		
1667	19 —		
1668	20 —		
1670	22 —	Bill & at.	1670
1670	22 & 23 —	——	——
1672	25 —	Do.	1673
1676	29 —	Do.	1677
1676	29 & 30 CAR. II.	Bill & at.	1677 / 1679
1677	30 — st. 1.	Do.	1678
	st. 2.	Do.	1678
1679	31 —	Do.	1679
1680	32 —		
1685	1 JAC. II.	Do.	1685 / 1687 / 1691
1688	1 GUL. & MAR.	Do.	1688, 9
1689	— Sess. 2.	Do.	1689
1690	2 —	Do.	1690
1691	3 (& 3, 4)	Do.	1691
1692	4 (& 4, 5)	Do.	1692
1693, 4	5 (& 5, 6)	Do.	1693
1694, 5	6 (& 6, 7 GUL. III.)	Do.	1694, 5
1695, 6	7 & 8 —	Do.	1695, 6
1696	8 —	Do.	1696, 7
1697	8 & 9 —		
1697	9 —	Do.	1697
1698	9 & 10 —	Do.	1698
1699	10, 10 & 11 —	Do.	1699
1700	11, 11 & 12 —	Do.	1700
1700	12 & 13 —	Do.	1700
1701	13, 13 & 14 — & 1 ANN. St. 1.	Do.	1701, 2
1702	1 ANN. Sess. 2.	Do.	1702
1703	2 & 2 & 3 —	Do.	1703
1704	3 & 3 & 4 —	Do.	1704
1705	4 —	Do.	1705
1706	5 —	Do.	1706

[1] The Titles to the Sessions and Acts of these Years distinguish the Day of the passing of the Acts; e. g .30 Car. II. Sess. 1. has the following Title to the Acts of the whole Session, "Anno Regni Caroli II. Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ Tricesimo. At the Parliament begun at Westminster the 8th day of May, A. D. 1661, in the Thirteenth Year of our Sovereign Lord Charles by the Grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. And by several Prorogations and Adjournments there continued to the 15th Day of July in the 30th Year of His Majesty's Reign, on which Day the following Acts passed the Royal Assent."—In the Session 30 Car. II. Sess. 2. only one Act was passed.—In the Session 1, and 2 Will. and Mary, each Act has a separate Title, "Anno Regni Willelmi & Mariæ Regis & Reginæ Angliæ, Franciæ & Hiberniæ primo; On the 23d Day of February, Anno Dom. 1688; in the First Year of their Majesties Reign this Act passed the Royal Assent. London, printed," &c.

APPENDIX. C.

ORIGINALS, RECORDS, AND MANUSCRIPT COPIES

OF

THE GREAT CHARTERS, AND OF THE STATUTES:

SPECIFYING the several REPOSITORIES in which they are preserved.

Article.	Period.	Repository.	Distinguishing Reference.
CHARTERS.			
Carta de Libertatibus	1 Stephen	Exeter Cathedral	
Articuli Magne Carte	17 John	British Museum	Donation MS. 4838.
Magna Carta	17 John	Lincoln Cathedral	
		British Museum	MS. Cott. Aug. II. No. 106.
	1 Hen. III.	Durham Cathedral	Prima Sĕde Regalium 3ª.
	A. D. 1217.	Bodleian Lib. Oxford	MS. Furney, No. 5.
Carta de Foresta	2 Hen. III.	Durham Cathedral	Prima Sĕde Regalium 4ª.
Magna Carta	9 Hen. III.	Durham Cathedral	Id. 2ª.
		Lacock Abbey	
Carta de Foresta	9 Hen. III.	Durham Cathedral	Prima Sĕde Regalium 5ª.
Magna Carta	36 Hen. III.	British Museum	MS. Cott. Aug. II. No. 51.
CHARTERS OF CONFIRMATION AND INSPEXIMUS.			
Carta Confirmationis	21 Hen. III.	Bodleian Lib. Oxford	MS. Furney, No. 6.
Magna Carta [*Insp.*]	25 Edw. I.	London, Town-Clerk's Office	
Magna Carta [*Insp.*]	28 Edw. I.	London, Town-Clerk's Office	
		Westminster Collegiate Church	
		Durham Cathedral	Sĕda Sĕde Regalium 2ª.
		Oriel College, Oxford	
Carta de Foresta [*Insp.*]	28 Edw. I.	Durham Cathedral	Sĕda Sĕde Regalium 8ª
		Oriel College, Oxford	
Carta Confirmationis	25 Edw. I.	British Museum	Cotton Charters, VII. 9.
Carta Confirmationis	29 Edw. I.	Bodleian Lib. Oxford	MS. Furney, No. 8.

Article.	Period.	Repository.	Distinguishing Reference.
RECORDS OF CHARTERS AND STATUTES.			
Charter Rolls	1 John to 22 Edw. IV.	Tower of London	Rolls of each Year respectively.
	1 Ric. III. to 8 Hen. VIII. [*See Patent Rolls.*]	Rolls Chapel, London	
Statute Rolls	6 Edw. I. to 50 Edw. III.	Tower of London	The Great Roll.
	Temp. Ric. II.		Roll II.
	Temp. Hen. IV. & Hen. V.		Roll III.
	1 Hen. VI. to 8 Hen. VI.		Roll IV.
	25 Hen. VI. to 39 Hen. VI.		Roll V.
	1 Edw. IV. to 8 Edw. IV.		Roll VI.
Inrollments of Acts	1 Ric. III. and ever since *And see Rolls of Parliament.*	Rolls Chapel	Rolls of each Year respectively.
Exemplifications and Transcripts of Acts	Sententia lata in Transgressores Cartarum 37 Hen. III.	Wells Cathedral	
	Statuta Wallie, 12 Edw. I.	Tower of London	
		Chapter House, Westm.	
	Stat. Wynton, 13 Edw. I.	Chapter House, Westm.	
	Stat. 27 Edw. I.	British Museum	Cotton Charters, VII. 11.
	Articuli sup. Cartas 28 Ed. I.	Durham Cathedral	Sĕda Sĕde Regalium 1ª.
	Stat. Carlisle, 35 Edw. I.	Chapter House, Westm.	Exempl. pro Scot.
	Stat. 10 Edw. II.	Wells Cathedral	
	Novæ Ordinationes 5 Edw. II.	British Museum	Cotton Charters, 43. D. 18.
		Canterbury Cathedral	Roll K. 11.
	Statute 15 Edw. III.	Wells Cathedral	
	Statute 8 Hen. VI.	London, Town-Clerk's Office	
	Statutes 9 Hen. VI. to 20 Hen. VI.	Tower of London	
	Act of Resumption, 20 Hen. VI.	Chapter House, Westm.	
	Statutes 25 to 39 Hen. VI.	Exchequer, Westminster, King's Rememb. Office.	
	Act of Resumption, 28 Hen. VI.	Chapter House, Westm.	
	Private Acts 6 Hen. VIII. and since	Rolls Chapel	Certiorari Bundles.
Rolls of Parliament	18 to 35 Edw. I.	Chapter House, Westm.	Rolls of each Year respectively.
	4 & 5 Edw. II. to 22 Edw. IV.	Tower of London	
	21 Ric. II.	Chapter House, Westm.	
	7 Hen. V. *And see Inrollments of Acts.*		
Original Acts of Parliament	12 Hen. VII. and ever since	Parliament Office, Westm.	Bundles and Rolls of each Year, and number of the Acts respectively.
PETITIONS and BILLS in Parliament	Temp. E. I. E. II. E. III. R. II. H. IV. V. & VI. and Edw. IV.	Tower of London	Bundles and Files of each Year.
RECORDS, INCIDENTALLY CONTAINING STATUTES.			
Patent Rolls [*These contain Charters since 8 Henry VIII. See Charter Rolls.*]	3 John to 22 Edw. IV.	Tower of London	Rolls of each Year respectively.
	John, E. II. & H. VI.	Chapter House, Westm. [*few and irregular.*]	
	1 Edw. V. to 27 Geo. III.	Rolls Chapel	
	28 Geo. III. and since	Petty Bag Office, Chancery	
Claus or Close Rolls	6 John to 22 Edw. IV.	Tower of London	
	18 Ric. II.	Chapter House, Westm.	
	1 Edw. V. to 24 Geo. III.	Rolls Chapel	
	25 Geo. III. and since	Inrollment Office, Chancery	
Pardon Rolls	26 Edw. I. to 22 Edw. IV.	Tower of London	
	1 Ric. III. to end of Jac. I.	Rolls Chapel	
Fine Rolls	6 John to 24 Edw. IV.	Tower of London	
	1 Edw. V. to 17 Car. I.	Rolls Chapel	

Article.	Period.	Repository.	Distinguishing Reference.
Books of Record.			
Containing Entries of Charters, Statutes, and Parliament Rolls	Will. I. to Edw. III.	Exchequer, Westminster	Red Book.
	Hen. III. to Ric. II.	Exchequer, Dublin	Red Book.
	Temp. Edw. I.	Chapter House, Westm.	Register A.
	18 to 35 Edw. I.	Tower of London	Vetus Codex.
	14 Edw. II.		
Books and Manuscripts not of Record.			
Chartularies	Stephen and John	Canterbury Cathedral	Register V. IX.
	1 and 2 Hen. III.	York Cathedral	Domesday Book.
	Hen. III. Edw. I.	Durham Cathedral	Ledger Books I. II. III.
	Hen. I.	Rochester Cathedral	Textus Roffensis.
	1 Hen. III. to 25 Edw. I.	Gloucester Cathedral	Register No. 1.
	John to 37 Hen. III.	Norwich Cathedral	Branthwaite's Register.
	John to 27 Edw. I.	Christ Church Cathedral, Dublin	Liber Niger.
Copies of Rolls of Parliament, and Petitions in Parliament	6 Edward I. to Edw. IV.	Lincoln's Inn Library	Hale's MSS.
	Edw. II. to Hen. IV.	Middle Temple Library	
	Edw. II. to Hen. VIII.	Inner Temple Library	Petyt's MSS.
	5 Edw. II. to 19 Hen. VII.	Cambridge, Magd^{n} College	Pepys Library.
	5 Edw. II. to 4 Hen. VIII.	Trinity College, Dublin	
	4 Edw. II. to Hen. VIII.	British Museum	MS. Harl. 7057—7086.
Selections from Patent Rolls	1 Hen. III. to 22 Edw. IV.	Trinity College, Dublin	Powle's MSS.
Collections containing Charters; and Statutes, preceded by the Charters.	John to Ric. II.	Exchequer, Westminster	Lib. X.
	1 Edw. III. to 33 Hen. VI.		Lib. IX.
	1 Edw. IV. to 7 Hen. VIII.		Lib. XI.
	9 Hen. III. to End of Hen. V.	London, Town-Clerk's Office	Lib. Horn.
			Lib. Custumarum.
			Lib. de antiq. legibus.
			Transcr. Libri Albi.
			Lib. G, H, I.
	9 Hen. III. to Hen. IV.	Lincoln's Inn Library	Hale's MSS.
	2 Hen. III. to end of Ed. I.	Inner Temple Library	Petyt's MSS. No. 9.
	1 Edw. III. to 3 Hen. VII.		Petyt's MSS. No. 8.
	1 Edw. III. to 29 Hen. VI.		Petyt's MSS. No. 6.
	9 Hen. III. to 29 Hen. VI.		Barrington's MSS. 3 Vols.
	Various Periods; from Hen. I. to Hen. VII.	Oxford.	
		Bodleian Library:	No. 212, 213, 216, 219, 220, 222, 223, 230, 249, 273, 274, 275, 276, 277, 278, 337, 371.
		—— *Rawlinson MSS.*	
		—— *Hatton MSS.*	10, No. 4135.
		—— *Laud's MSS.* Roll, No. 1036.	*Rot. Bodl.*
		Cambridge:	Class. Shelf. No.
		—— University Library	Dd - - vii 6
			ix 38, 72
			x 28
			xv 12, 28
			Ee - - i 1, 5
			ii 19
			vi 1, 33
			Hh - - iii 11
			iv 1, 6
			Ii - - vi 25
			Kk - - v 33
			Ll - - i 10, 15, 16
			iv 17, 18
			Mm - - i 27
			v 19

Article.	Period.	Repository.	Distinguishing Reference.
BOOKS AND MANUSCRIPTS NOT OF RECORD *continued.*	VARIOUS PERIODS; from Hen. I. to Hen. VII.	CAMBRIDGE:—*(continued)*	
		—— Trin. Coll. Library	Class. Shelf. No. O - - i 71, 76 ii 58 iii 20, 45 iv xiv vij 27 ix 26 R - xv 12
		—— Corpus Christi, or Bene't Coll. Library	
		—— *Abp. Parker's MSS.* -	No. 59, 70, 84, 292, 297, 362, 377, 412, 476, 482.
		BRITISH MUSEUM: —— *Cottonian MSS.*	MSS. Cott. Julius A, IX: B, XII: D, II: D, VII. Claudius D, II. Nero A, VI: A, XII: C, I: D, I. Galba E, III, IV. Vitellius C, IX: E, V. Vespasian B, VII: F. IX. Titus A, VIII, XIII: B, V, VI, VIII. Domitian VII. Faustina B, I: D, III. Appendix XVI, XXV.
		—— *Harleian MSS.*	MSS. Harl. No. 79, 244, 311, 323, 395, 408, 409, 413, 450, 458, 489, 493, 529, 550, 644, 666, 667, 668, 673, 696, 741, 746, 748, 751, 773, 785, 858, 867, 869, 926, 936, 946, 947, 990, 1011, 1013, 1024, 1028, 1033, 1120, 1127, 1208, 1214, 1259, 1261, 1311, 1317, 1335, 1690, 1708, 1757, 1807, 1817, 1954, 3205, 3206, 3341, 3652, 3824, 3937, 3942, 3994, 4565, 4855, 4871, 4975, 4999, 5022, 5044, 5072, 5213, 5214, 5233, 5274, 5290, 5326, 5349, 5430, 6644, 6800, 6873, 7547.
		—— *Royal Library* -	MSS. Reg. 9 A; I, II, VII. 13 A; XIV. 15 A; XXI. 19 A; VII, XIV. 20 A; VII, VIII, IX.
		—— *Donation MSS.*	No. 5444, 5502, 5511, 5668.
		—— *Lansdowne MSS.*	No. 251, 480, 481, 482, 483, 484, 485, 486, 487, 488, 490, 491, 492, 493, 494, 581, 667.
		LAMBETH LIBRARY:	No. 166, 171, 179, 270, 350, 371, 429, 499, 543, 556.
COLLECTIONS containing Charters; and Statutes, preceded by the Charters *continued.*			

APPENDIX. D.

Explanation of the Contractions,

Used in printing the Records and Manuscripts copied in this Collection.

THE general Character and Appearance of the Charters and Records copied in this Collection, are exhibited in engraved Specimens.* With respect to the Printed Contractions, it is to be observed, that wherever the Manuscript is abbreviated, the Print has a Mark of Contraction, as similar to that of the Manuscript as the Types will admit. The different Manuscripts vary a little from each other in the Mode of making the several Contractions. The following Explanation of the Marks of Contraction used in the Print (applying both to the Latin and French Text, though the latter is generally less abbreviated than the former), may serve as well to render the printed Copy intelligible, as also to explain the Contractions in the Manuscripts, and to make the reading and consulting of them, when necessary, more easy to Persons not used to antient Records.

A strait Line over a Vowel denotes the Omission of the Letter m *or* n *following:*

quā - - quam	nō - - - non	statī - - - statim
antiq^{a} - antiquam	cōmun - - commun	volūtatē - voluntatem
hōiū - - hominum	avaūdiz - - avauntditz	

The strait Line over m *in the Middle of a Word denotes the Omission of the Letter* n *following:*

omẽs - - - - omnes | omĩia - - - - omnia

A Crooked Line over some Letter, or a Line through some Letter, of the Word contracted, denotes the Omission of one or more Letters of the Word:

Gr̃a - - Gratia	Epĩs - - Episcopis	c̃ó, tõ - { cio *or* tio / cion *or* tion
Bal̃is - Ballivis	oms̃ - - omnes	
nob̃ - - nobis	lib̃tates - libertates	coronac̃ois - coronacionis
h̃eat - - habeat	Dn̄s - - Dominus	expedita c̃ó - expeditacio
Sal̃ - - Salutem	dic̃ - - dictum, &c.	malic̃ose - maliciose

A small superior Letter denotes an Omission, of which such Letter forms a Part:

q^{a}m } quam̃ | occ^{a}one - occasione | p^{i}mis - primis | s^{i} - - sibi
q^{a} } | imp^{i}sonet^{r} - imprisonetur | p^{i9} - - prius | n^{i} - - nisi

The following Characters or Abbreviations have certain explicit Significations, viz.

Character.	Signification.	
ȝ	us	*At the End of Words in the Dative or Ablative Plural:*
		Abbatibȝ - - Abbatibus | quibȝ - - - - quibus
	sometimes et	sȝ - - - set (sed) | possȝ - - - - posset
		Or as a comprehensive Mark of Abbreviation:
		quilȝ - - quilibet ‖ videlȝ - - - - videlicet
		qnȝ - - quandoque ‖
9 above the Line.	us	*Not being the Dative or Ablative Plural:*
		huj^{9}modi - } hujusmodi ‖ dedim^{9} - - - dedimus
		h^{9}i - - - } ‖
		huj^{9} - - - hujus ‖ exc^{9}are - - - excusare
	sometimes os, *or* ost.	p^{9} - - - } post ‖ p^{9}tea - - - - postea
		p^{9}t - - - } ‖
9 even with the Line.	com, *or* con	9tenta - contenta | 9muni - communi | 9seil - conseil

* For Specimens of Original Charters, and of the Charter Roll, See the Plates at pages 3, 6, 9, 20, 22, 28, and 33, of the Charters prefixed to the Statutes in this Volume: of the Patent Roll facing page 4, of the Statute Roll page 114, and of the Close Roll page 118 of the Statutes in this Volume.

Character.	Signification.	
q̃ or q̧	que	absq̧ - - - - absque | usq̃ - - - - usque
		Frequently used also for quod *and* quia.
ꝛ	er	exꝛcitum - exercitum ‖ infregꝛint - infregerint ‖ manꝛe - manere itinꝛe - - itinere ‖ denꝛs - - deners ‖
	sometimes re	egꝛssum - - - egressum | transgꝛssum - transgressum
ꝝ	rum	antecessoꝝ - - - antecessorum | nr̃oꝝ - - - nostrorum
		Sometimes to mark an Abbreviation beginning with r;
		coꝝ - - - - coronacionem
&	et	*The* & *appears in the Print wherever an Abbreviation for* et *appears in the Manuscript.*
ꝛ	and	*In the Copies of some Scotch Records in Appendix H. to the Introduction.*
&	eciam	
ꝛ	est	
ꝛ	cer	fecꝛit - - - - fecerit ‖ cꝛtum - - - - certum
mꝛ	mer	amꝛcietur - - - amercietur ‖ mꝛcator - - - mercator
sꝛ	ser	sꝛvicium - - - servicium ‖ sꝛvir - - - - servir
tꝛ	ter	cetꝛa - - - - cetera ‖ tꝛram - - - - terram
	sometimes tre	tꝛspasours - - trespasours ‖
uꝛ	uer	fuꝛit - - - - fuerit ‖ hꝛuit - - - - habuerit
vꝛ	ver	estovꝛiū - - - estoverium ‖ ovꝛtes - - - - overtes
ꝑ	per	*As the Prepositions* per *and* pro, *and in forming Words:*
ꝓ	pro	cepit - - - - ceperit ‖ ꝓpⁱa - - - - propria
		ꝓbū - - - - probum ‖ ꝓsone - - - - persone
		aꝑtement - - - apertement ‖ ꝓfit - - - - profit
		ꝓmisit - - - - permisit ‖ ꝓmisit - - - promisit
		ꝓchein - - - prochein ‖ ꝓᵃ - - - - persona
ꝑ	also for par *and* por	ꝑatus - - - - paratus ‖ ꝑceles - - - - parceles
		tempe - - - - tempore ‖ corꝑum - - - corporum
pꝛ	pre	pꝛsentem - - - presentem ‖ pꝛlaz - - - - prelatz
		pꝛdc̃m - - - - predictum ‖ pꝛndront - - - prendront
ꝫ	tz	fiz - - - - fitz ‖ fez - - - - - fetz
		establisemenz - establisementz ‖ tenaunz - - - tenauntz
		In the Copies of some Records the following Characters occur.
ꝯ	is or s	Scottꝯ - - - Scottis ‖ *As also the Saxon Characters,*
		Lordꝯ - - - Lords ‖ þ - th | ȝ - y

In citing the several Statute Rolls, Parliament Rolls, and Close, Patent, Fine, and Charter Rolls, the Year of the King, the Part, if there are more Rolls than one of the same Year, the Membrane or Skin, and the Number of the Article, where is it so distinguished on the Roll, are particularised; and if it is on the Dorse or Back of the Roll that also is noticed.—The several Membranes or Skins of which of the Rolls are composed, are frequently numbered from the bottom to the top of the Roll, the Membrane at the End being numbered 1, and so progressively up to the beginning of the Roll;—Thus:

Mag. Rot. Stat. m. 46 *d.* signifies,—The Great Roll of the Statutes, on the back of Membrane 46.

Rot. Parl. 6 *Edw. II. P.* 2. *nu.* 3. - Parliament Roll 6 Edward II. Part II. Number 3.

Rot. Claus. - - - Close Roll. ‖ *Rot. Fin.* - - - Fine Roll.

Rot. Pat. - - - Patent Roll. ‖ *Rot. Cart.* - - - Charter Roll.

In Cedula - - In a Schedule or separate Skin or Membrane attached to the Roll.

For Explanations as to the other Records and Manuscripts cited, See Appendix C.

APPENDIX. E.

I. INSTANCES illustrative of the Nature of the PARLIAMENT ROLLS; and of the Method of CERTIFYING STATUTES into CHANCERY, in ENGLAND and IRELAND:

II. INSTANCES of EXEMPLIFICATIONS of STATUTES from CHANCERY.

I.

1. THE SIX VOLUMES printed by an Order of the House of Lords of Great Britain, 9 March 1767, and intituled, ROTULI PARLIAMENTORUM UT ET PETITIONES ET PLACITA IN PARLIAMENTO, contain various Parliamentary Matters from 6 Edw. I. to 19 Hen. VII. Original Petitions in Parliament from the Time of Edw. I, Entries of Record of Rolls and Proceedings in Parliament in the Time of Edw. I. and II, and Rolls of Parliament from 4 & 5 Edw. II, to the End of the Reign of Edward IV, are still preserved in the Tower of London, among which are many Matters not noticed in those printed Volumes. Previous to Edward III. the Contents of the Rolls are miscellaneous and irregular. From 13 Edw. III. to the End of the Reign of Edw. IV. the Contents of them are generally, but not universally, uniform, and may be thus described. They begin by stating the Time of the Opening of each Session, the declaring the Causes for which the Parliament was summoned, and the Appointment of Receivers and Triers of Petitions.—The Grants of Aids and Subsidies to the King, and the other Proceedings in the several Matters before Parliament, are entered as they took place. All the Petitions of the Commons, relating to Public Matters, and sometimes those of the Clergy separately, with the Answers thereto, are entered at large, as also all the Petitions or Bills presented by private Persons, and the Answers thereto: Many of these Petitions or Bills in the Time of Hen. VI. and Edward IV. are drawn up in the complete Form of Acts.—The Rolls conclude with the Account of the Petitions, or Bills and Answers being read at the Close of the Session, and of the Leave given to the Great Men and Commons to depart.

On the Roll of 35 Edw. I. of which the Entry is preserved in the Vetus Codex in the Tower of London, the earliest existing Record occurs of a COMMISSION granted by the King, for beginning the Business of Parliament in his Absence. It is in the following Form:

" Parliamentū R. Edwardi sūmonitū apud Karl in Octab Sčī Hillař anno Regni sui xxxv^to^.

" EDWARD par la grace de Dieu Roi Dengleṫre, Seign^r^ Dirlaunde & Ducs Daquitaine a touz noz foialx & loialx Prelatz, Contes, Barons, Procurours, & autres q̃ sont venuz a Cardoill p nr̃e somonse p^r^ estre illueq̃s a nr̃e Parlement a ces Oytaves de la Seynt Hilleyre, Saluz. Nous feisoms assaṫ a vo^9^ toutz q̃ no^9^ enveoms a Cardoill noz foialx & loialx Waut̃ p meisme la grace Evesq, de Cestre nr̃e Tresorier, & Henri de Lacy Conte de Nicole nr̃e chier cousyn, p^r^ monstrer a vo^9^ aucunes bosoignes touchantz no^9^ & nr̃e Roialme, q^nt a la jornee de y cestz Vendredi Samedi & Dimegne; & por treiter ovesq, vo^9^ & vo^9^ dire nr̃e volunte sur meismes les busoignes, sicōme no^9^ lour avons enchargez; & vo^9^ mandoms qe as ditz Evesq, & Conte de ce qil vo^9^ endirront de p no^9^ creez fiablement, & si avant cōme vo^9^ ferriez a no^9^ meismes si no^9^ y feussiens en ppre psone. Doñ souz nr̃e p^ve Seal a Lanrecost le XIX jour de Janeuoir Lan de nr̃e regne xxxv."

The next known existing Record of a similar Commission is found on the Parliament Roll in the Tower, 13 Edw. III. Part II. The following is a Copy of the Commencement of that Roll, and of the Royal Commission entered thereon, for the beginning and continuing of Parliament.

" Les Remembrances du plement somons a Westmonstier as oyetaves de la Seint Hillarie lan du regne nr̃e Seignur le Roi Edward la tierce aṗs le conquest treszisme.

" En primes p^r^ ceo q̃ Mons̃ le Duc de Cornewaille Gardeyn Dengleṫre fu destourbz p^r^ ceteines busoignes q̃ lui touchent, ensi qil ne p^r^a venir yce Joedy as dites oyetaves psonelment a Westmonstier, si sount assignez & comandez p Lr̃es Patentes souz g^nt^ Seal nr̃e Seigñ le Roi, lon^r^able pier en Dieu lercevesq, de Cant̃bir̃s, le Deen Deverwyk Tresorer le Roi, Richard de Wylughby, Johan de Stonore, & Johan de Seint Poul, quatre treis

ou deux de eux, a comencer & continuer le plement en noun de nr̃e Seign^{r} le Roi, & du dit Gardein, & affaire les choses q̃ sount affaire p̱ meisme le Gardein tan q̃ a sa venue; des queles lr̃es la tenour sensuit.

* * *

" Edwardus Dei gr̃a Rex Angł, Dn̄s Hibn̄, & Dux Aquit̃, Archiep̄is Ep̄is Abbatib^{3} Priorib^{3} Comitib^{3} Baronib^{3} Militib^{3} & om̄ib^{3} aliis ad instans Pliamentū nr̃m apud Westm̄ sūmonitū conventur̃, salt̃m: Cum dilc̄us & fidelis nr̃ Edwardus Dux Cornub & Comes Cestr̃, fit nr̃ carissimus, custos regni nr̃i, ppt̄ quedam negocia sibi incumbencia sit ad p̄sens p̄peditus, quominus isto die Jovis in Octab sc̄i Hilarii apud locū p̄dc̄m valeat psonalit̄ int̄esse, de circumspecc̄ois & industrie magnitudine venabilis p̄ris Joh̄is Archiep̄i Cantuar̃ tocius Angł primatis, & discretoz̧ viroz̧ magr̃i Willi de la Zousche, Decani eccl̄ie b̄i Petri Eboz̧ Thes̄ nr̃i, Ric̄i de Wylughby, Joh̄is de Stonore, & Joh̄is de Sc̄o Paulo, plenam fiduciam reportantes, ip̄os quatuor t̄res & duos eoz̧ ad inchoand & continuand pliamentū p̄dc̄m, nr̃o & dc̄i filii nr̃i nō̄ie, & ad faciend ea que p̱ nobis p̱ p̄dc̄m fit nr̃m faciend fuit̄, usq; adventū ejusdem fit nr̃i ibidem, deputamus & assignam^{9}. Et ideo vob mandamus qd eisdem Archiep̄o, Thes̄, Ric̄o, Joh̄i & Joh̄i, quatuor trib^{3} & duob^{3} eoz̧, intendentes sitis in p̄missis in forma p̄dc̄a. In cujus rei testimonium has l̄ras nr̃as fieri fecimus patentes. T. Edwardo Duce Cornub & Comite Cestr̃ fit nr̃o carissimo, Custode Angł, apud Langele XIX. die Januar̃ anno r̄. n̄. t̄ciodecimo.

p̱ ip̄m Custodem & Cons̄."

2. THE ACTS OF PARLIAMENT INROLLED, or, as they have been usually termed, ROLLS OF PARLIAMENT, which are preserved in the Chapel of the Rolls, London, commence with Richard III. and are continued to the present Time. The General Contemporary Title or Indorsement of each Roll is " Rotulus Parliamenti " &c. specifying the Year of the King's Reign. But some of these Rolls are otherwise indorsed; E. g. " Acts of Parliament inrolled." " Irrotulamentum Parliamenti." " Acta Parliamenti."

From 1 Ric. III. to the End of Henry VII, these Rolls are very similar in their Contents to those of preceding Reigns, in the Tower, as before described. The Rolls from 1 Henry VIII. to 25 Hen. VIII. contain a more abridged Account of the Proceedings in Parliament, but appear to include all the Acts passed in every Session, with an introductory and concluding Form to each Act, of its being exhibited and assented to. After 21 Hen. VIII. the Introductory Forms of opening the Parliament, appointing Triers of Petitions, &c. are omitted. After 25 Henry VIII. some of the Acts are omitted, being generally such as are classed in the Printed Editions as Private Acts. In 31 Hen. VIII. the Introduction at the Head of the Roll for the first Time defines the Contents as Statutes made in a Parliament, the Time and Place of which is specified, and makes a precise Distinction between Public and Private Acts, as follows, viz. " In Parliamento inchoato, &c. [*the Date*] communi omnium Dominorum tam Spiritualium quam Temporalium ac Communitatis Consensu, ac Regie Majestatis assensu, inactitata et stabilita fuerunt hec sequentia Statuta, viz. ACTES PUBLICKE:" Then follows a List of the Titles; after that " ACTES PRIVATE," with a List of the Titles: Then follow the several Acts Public and Private, in a regular Series, with this Introductory Form to each; " Exhibita est regie Majestati, in Parliamento predicto, Billa quedam, formam Actus in se continens," and at the End of each; " Cui quidem Bille p̱lecte et ad plenum intellecte per dictum dominum Regem ex authoritate Parliamenti predicti sic responsum est." [Le Roy le veult; or otherwise as the Nature of the Act requires.] No other Proceedings of Parliament are entered on the Roll. Private Acts as well as Public continued to be inrolled till 25 Eliz., but not all which were passed; some Private Acts were also inrolled in An. 35 Eliz, but not afterwards. At the End of the Roll is generally subscribed the Name of the Clerk of the Parliament: and sometimes Words are added in the Nature of a Certificate of their Correctness, " Examinat̃ p̱ me." " Examinat̃ & concordat cum originali." " Examinat̃ & certificat̃, &c." These are the Form and Contents of the Rolls to 1 Car. I.

In the Two Sessions 1 and 3 Car. I. the Rolls were made up nearly in the ancient Form.[1] In 16 Car. I, the next ensuing Session, the Roll begins " In Parliamento inchoato, &c. [as in 31 Hen. VIII.] sancita, inactitata, ordinata, et stabilita fuerunt sequentia Statuta ut sequuntur, viz. PUBLIQUE ACTS." Then follow the Title and Body of an Act, without any introductory Form, and at the End " Cui quidem Bille in se formam Actus continenti perlecte et ad plenum intellecte per dictum Dn̄um Regem ex authoritate Parliamenti sic Responsum est: R^{o}—Le Roy le veult." Or if a Subsidy Act " Le Roi remerciant ses bons Subjets, accepte leur benevolence & ainsi le veut." Then follow the Title and Body of another Act, and at the End the like Form of signifying the Royal Assent, and so until all the Public Acts are entered. After which follows an Introduction " Item quedam Petitiones privatas personas concernentes in se formam Actus continentes exhibite fuerunt p̄dc̄o Dn̄o Regi in Parliam̄ p̄d, quaz̧ Tituli subscribuntur, viz. PRIVATE ACTS." Then follows a List of the Titles, and at the End of the List, " Quibus perlectis & ad plenum intellectis, p̱ Dn̄um Regem de Avisamento et assensu Dn̄oz̧ Spiritualiū et Temporaliū ac Communitatis in dc̄o Parliam̄ existen̄, ac authoritate ejusdem, taliter ut sequitur eisdem singulatim est responsum, viz. Soit fait come il est desiré." No other Proceedings of Parliament are entered on the Roll: At the End is written, " Concord^{t} cum Originał Jo. Browne Cleric. Parliamentoz̧." This Form continues to 31 George II. inclusive. After which the List of the Private Acts, and its introductory and concluding Forms, are wholly omitted.

[1] *See more fully, Appendix F. post pages* lxxvii, lxxviii.

At the present Day, on Account of the increased Length and Number of the Public Acts passed in Parliament, they cannot all be conveniently entered on one Roll. At the Head therefore of a Roll, which is indorsed, "Prima Pars Rotulorum Parliamentorum de Anno Regni Regis Georgii Tertii," [*specifying the Year of the King's Reign, &c.*] is written the following Introduction.

"In Parliamento inchoato et tento, apud [*Place and Date*] communi omnium Dominorum tam Spiritualium quam Temporalium et Communitatis consensu, ac Regiæ Majestatis assensu, sancita inactitata ordinata et stabilita fuerunt sequentia hæc Statuta: Videlicet.

PUBLICK ACTS.

1. AN ACT [*Title and Date of passing.*]

Then follows the Act at length, and at the End the Words only of the Royal Assent.

LE ROY LE VEUT.

[*or otherwise as the Nature of the Act requires.*]

2. AN ACT [*&c. in the same Form exactly.*]

On this Roll, and on subsequent Rolls of the same Parliament, indorsed "Secunda Pars" "Tertia Pars" &c. "Rotulorum Parliamentorum de Anno" &c. as on the First Roll, all the Public Acts of the Session are in like Manner entered: And at the Bottom of the last Roll, or Part, in the Hand-writing of the Clerk of the Parliaments is the following Certificate. "Concordat cum Originali. GEORGE ROSE Cler̃ Parliamentor̃."

This Certificate refers to the Original Bills which, having received the Royal Assent in Parliament, became Acts, and are preserved in the Parliament Office at Westminster.

The Acts of the Parliament 49 Geo. III. occupy Fifty-five Rolls.

3. With respect to the CERTIFYING INTO CHANCERY of Statutes and Private Acts.—Private Acts of which Evidence has been required, have been from Time to Time specially certified into Chancery by the Clerk of the Parliaments, in Answer to a Writ issued for that Purpose; in which Cases the Writ, with the Return thereto by the Clerk of the Parliaments, containing the Tenor of the Act, has always been exemplified under the Great Seal. There appears only one Instance of any Act so certified before 25 Hen. VIII. viz. one of 6 Hen. VIII. and the Act thus certified is contained in the general Inrollment of its proper Year, as are also several of the Acts certified on subsequent Occasions, as late as 35 Eliz. The Acts thus certified are kept in the Certiorari Bundles, separate from the regular Inrollments of the respective Years.

The Practice of certifying Private Acts into Chancery has not of late Years been uniformly observed, Copies being obtained from the Original Act in the Parliament Office: The Inconvenience attending this Irregularity has been partly remedied by the Introduction of a Clause at the end of some of the Local and Personal Acts, that the Act shall be printed by the King's Printer, and that a Copy thereof so printed shall be Evidence; but many Local and Personal Acts are passed without this Clause.

The MODE of transmitting and certifying Statutes into Chancery, in IRELAND, will appear clearly from the following Particulars, abridged from the Journals of the House of Lords in that Kingdom, in the Year 1758, vol. iv. pa. 109, 113, & 117.

On the 3d of February 1758, It was "Ordered, That a Committee be appointed to inspect into the State of the Parliament Office, and inquire in what Manner the Rolls of Parliament are now kept, and how disposed of." On the 20th of the same Month, the Lords Committees made a Report accordingly: In this Report they stated, that previous to the Year 1715 the Original Acts, and the Transcripts of them from Parliament into Chancery, were lodged at the Rolls Office; and that subsequent to that Period the Acts and Transcripts were lodged in the Parliament Office: and they expressed their Opinion, that all Original Acts ought to be kept in the Parliament Office; and that Transcripts, duly certified by the Clerk of the Parliament, and returned on Writs of Certiorari, ought to be lodged in the Rolls Office; by which means, in case of Accident, the Loss of the Records of one Office might be supplied by those in the other.

Annexed to this Report of the Lords was an Appendix, containing a Report of Mr. Lodge, Deputy Clerk and Keeper of the Rolls in Ireland, on the Contents of those Rolls. In this Report the following Particulars are stated:

"The Parliament Rolls remaining of Record in the Rolls Office of His Majesty's High Court of Chancery in Ireland, begin with the Fifth Year of King Henry VI. which Roll hath this Title: 'Act̃ in Parliamento Dñi Regis ten̄ apud Dublin̄ coram Jacobo le Botiller Comit̃ de Ormond̃ Justic̃ ipsius Dñi Regis Terræ suæ Hiberniæ, Die Veneris prox̃ post festum S^ti Cuthberti Ep̄i et Confessoris anno Regni Regis Henrici sexti quinto.' And is thus indorsed upon the last Skin: 'Mem̄ q^d xviij. Die Septembr̃ Anno r. r. Henrici Sexti sexto, Venerabilis in X^to Pater Ric̄us Archiep̄us Dublin̄, Cancellar̃ ipsius Dñi Regis Hib̃e, recepit apud Trym istum tenorem Actus Parlti unde in isto tenore sp̄ial' fit mentio, ex deliberatione Thom̄ Bron̄ Cler̃ dicti Parlti, decreto consideratione et auctoritate ejusdem Parlti, sec̄dum formam decreti considerationis & auctoritatis supradictor̄.'

"The Roll of the Eighteenth Henry VI. is subscribed 'Thom̄ Bron̄ Clicus Parliament̃.'

"The Roll of the Twenty-ninth of Henry VI. is thus indorsed—'Memor̃d quod Hugo Wogan Clicus Parliamenti Dñi Regis Hibernie deliberavit Rotulum quorundam Ordinationum Statutor̄ et Actuum Magni Concilii infra specificat̃ conti̇n̄, xxi^o Die Martii anno regni Regis Hen̄ Sexti vicesimo nono, Johanni Chevir̃ Clerico ac Custodi Rotulor̄ Cancellar̃ Dñi Regis Hiberniæ.'

"The Roll of the Thirty-third of Henry VI. is indorsed—'Memorand̃ q̃d vicesimo die Junii anno regni Regis Henrici Sexti tricesimo tertio, Hugo Wogan Clericus Parliament̃ deliberavit hunc Rotulum Joh̃i Chevir̃ Clico ac Custodi Rotulorum Cancellar̃ dicti Dñi Regis Terræ suæ Hiberniæ.'

" The Roll of the Eighth of Henry VII. is thus indorsed on the last Skin but one—' Memorãd qd Die Octobr anno r. r. Henrici VII. nono, Jacobus Colyn deliberavit hunc Rotulum Thõ Botiller Clico Rotlor Canc.'

" The only Roll of King James I. in the Eleventh Year of his Reign hath a Writ of Certiorari annexed, directed to Thomas Chetham Esquire, Clerk of the Parliaments, to return into Chancery the Tenor of all the Acts and Statutes enacted in the Parliament held at the Castle of Dublin 18th May, An° 11°, and continued by several Prorogations to 24th October, 13°, dated 25th August, 15° Jac. I. And at the Foot of the Roll is this Certificate, ' Ego Thõ Chetham Ar Cleric Parliamentor hujus Regni Hiberniæ, virtute Brevis supradict Dñi Regis mihi direct et huic Rotulo annex, certifico quod in hoc Rotulo continetur ver tenor omnium & singulorum Actuum Parliament & Statut in Parliamento supradicto fact stabilit & inactitat, in Brevi prædict specificat. In cujus rei testimon Sigillum Nomenque meum apposui atque subscripsi. Dat ult° Die Septembr Anno Regni supradict Dñi Regis Angliæ, Franciæ, & Hiberniæ decimo quinto, & Scotiæ quinquagesimo. Tho. Chetham.'

" The Roll of the Tenth of Charles I. is thus certified,—' I John Percevall, one of the Executors of Sir Philip Percevall Knt, late Clerk of the Parliaments, do hereby certify, by virtue of the above Writ out of His Highness' Court of Chancery to me directed, and hereunto annexed, that this Roll is the true Contents of the above Acts of Parliament in that Writ mentioned. In Witness whereof I have hereunto put my Hand and Seal. Dated this 15th Day of December in the Year of our Lord God One thousand six hundred and fifty-six.

John Percevall.'

" Returns of the like Tenor are made by the said Sir John Percevall to the Rolls of the Fourteenth and Fifteenth Years of the said King; but the Writs of Certiorari referred to are not annexed to the Rolls.

" In the Sixteenth Year is a Private Act concerning Richard Earl of Cork and John Bishop of Waterford, intitled, ' Quoddam Actum Parliamenti editum,' &c. to which is annexed a Writ of Certiorari, directed to Sir Philip Percevall Knight, Clerk of the Parliaments, to return the Tenor of the said Act into Chancery, dated 11th December 16° Car. I. which Writ is thus indorsed:—' Executio istius Brevis patet in Schedula eidem annex. Phit Percevall.'—And at the Bottom is this Certificate, ' Ego Philippus Percevall Mit Clicus Parliañ, virtute Brevis supradict Dñi Regis mihi direct & hiis annex, certifico superius hoc scriptum verum esse tenorem actus Parliamenti supradict in eo Brevi express. In cujus rei testimon Sigillum Nomenq, meum apposui atque subscripsi. Dat vicesimo Die Februarii, Anno Regni supradict Dñi Regis Angliæ, Scotiæ, Francie, & Hibernie, decimo sexto. Phit Percevall."

" The Acts of King Charles II. in the Parliament held from 8th May 13°, to 8th August 18°, are contained in Seven Rolls, with a Writ of Certiorari annexed to the First Roll, directed to Sir George Lane Knight, Clerk of the Parliaments, to return into Chancery the Tenor of the Acts enacted during the said Parliament, dated 21st February, 19° Car. II. indorsed—' Executio hujus Brevis patet in quibusdam Schedulis huic Brevi annexat.

Joh Keating Dep Cler Parl.'

" To the Roll of the Fourth of Will. and Mary is annexed a Writ of Certiorari, directed to John Smith Esq. Clerk of the Parliaments, to return into Chancery the Tenor of all the Acts enacted in the Parliament held 5th October 4° Gul. and Mar. and continued by several Prorogations to 26th June 5° Gul. and Mar. dated 15th January 6° Queen Anne, indorsed—' Executio hujus Brevis patet in quadam Schedula huic Brevi annexat.

' Sic rec^d. John Smith, Cler Parliament.'

" To the Roll of the Seventh of King William is annexed a Writ of Certiorari, of the same Date with the foregoing, to return into Chancery the Tenor of all the Acts enacted in the Parliament begun 27th August 7° Gul. and continued to 14th June, 11°; indorsed as the aforesaid Writ.

" To the Roll of the Second and subsequent Years to the 10th of Queen Anne is annexed a Writ of Certiorari, of which the following is a Copy; and which is similar in its Tenor to the other more antient Writs of Certiorari before mentioned.

" Anna Dei Gra Magn Britan, Franc & Hibn Regin Fidei Defens, &c. Dilect & Fidel nro Johan Smith Aro Cleric Parliament nror Saltm. Volentes certis de Causis Certiorar de & sup tenore omn & singul Actuu Parliament & Statut in Parliament nro apud Dom cõiter vocat Chichester House in Com Civit Dublin, vicesimo primo Die Septembris, Anno rñi nri secundo inchoat & ibm ten, ac deinde p divers Prorogation hucusq, ten & continuat, fact stabilit et inactitat, tibi mandamus quod tenorem omn et singulor Act et Statut predict, cum omnibus ea tangentibus, nobis in Can Hibn distincte & aperte sine dilone mitt una cum hoc Bre. Test pdilect e: ppm fidel Consiliar nr Constant Phipps Mit, Canc nro Rñi nri predict, & Ricardo Ingoldsby Aro Justic & Genal Gubnator nro dict rñi nri Hib, apud Dublin vicesimo quarto Die Januar Anno rñi nri decimo.

Berkeley Mro Rotulor."

Original Acts at Parliament Office;—Transcripts at Rolls.

Writs of Certiorari.

On the 23d of February 1758, the House of Lords came to the following, among other, Resolutions:

" That the Parliament Office is the proper Repository for the Original Acts passed in this Realm; and that Transcripts of the said Acts, certified in due Form, ought to be in the Rolls Office, there to remain of Record.

" That the antient Usage has been to issue Writs of Certiorari from Time to Time out of the Court of Chancery, requiring the Clerk of the Parliaments to return the Tenor of all Acts: But it does not appear to this House that any such Writ has been issued for this Purpose since the Year 1711.

Duplicates.

Certiorari, at the End of each Session.

" That it is highly expedient that all Original Acts, of which Transcripts have been duly certified into the Court of Chancery, should be lodged with the Clerk of the Parliaments: That a Writ of Certiorari should be immediately issued requiring the said Clerk to return the Tenor of all Acts, passed in this Kingdom since the Year 1711, into His Majesty's Court of Chancery; and that from henceforth a Writ of Certiorari should be regularly issued for the like Purpose at the Close of every Session."

Notwithstanding the foregoing Proceedings, it does not appear that the Measures suggested were carried into Effect. On an Examination made, by two Sub-Commissioners on the Records, in the Year 1806, at the Rolls Office in Dublin, some Rolls of the Acts between 1711 and 1758 were found, but not signed or certified by the Clerk of the Parliament; and it is observable that the Heads or Introductions of those Rolls are cut off. From 1758 to the Time of the Union between Great Britain and Ireland, instead of the whole Body of Acts being certified authentically into Chancery at the End of each Session, as required by the last of the foregoing Resolutions, Copies of each separate Act, uncertified, were delivered into the Rolls Office, and put by without Regularity or Method, and without any Calendar or Index to them being made.—See *Report of Searches*, by order of the Commissioners on Public Records, 1806: Ordered, by the House of Lords, to be printed 30 June 1807.

II.

WITH RESPECT TO EXEMPLIFICATIONS of Statutes from Chancery after they have been transmitted thither, Two Instances will fully explain the Nature of the Proceeding: the one shewing the Mode of sending an Exemplification by Mittimus to the Court where it is to be used in Evidence; the other giving the exact Form of Exemplification now in use.

1. In Hilary Term 20 Geo. II. John Murray of Broughton being brought to the Bar of the Court of King's Bench by Habeas Corpus directed to the Lieutenant of the Tower, a Record was read to him, containing a Writ of Mittimus, with which was sent the Tenour of a Writ of Certiorari directed to the Clerk of the Parliaments, and also the Return indorsed upon the Back of the Writ. The Certiorari required the Clerk of the Parliaments to send to the King in Chancery the Tenour of an Act intitled 'An Act to attaint Alexander Earl of Kellie [and others, among whom was John Murray] of High Treason, if they did not render themselves on or before the 12th Day of July 1746.' In a Schedule annexed to this Writ of Certiorari the said Act was transcribed; and the Clerk of the Parliaments certified that what was therein above written was the true Tenour of the Act of Parliament in the Writ expressed. Upon this Occasion the Prisoner, ore tenus, pleaded that he did surrender himself within the Time prescribed by the Act, and the Attorney General, by Authority from the King, confessed the Truth of the Prisoner's Plea; and the Court ordered the Prisoner's Plea and the Attorney General's Confession to be recorded. The Writ of Certiorari itself was issued from the Petty Bag Office and remains there now with the Tenour of the Act as transmitted, an Exemplification of which only was sent into the King's Bench.[1]

2. The following is the Form of Exemplification of an Act, from Chancery. It was used for the Purpose of sending to Ireland an authentic Copy of the Act, passed in the Parliament of Great Britain, for the Union of Great Britain and Ireland. The usual Inrollment in Chancery of all the Public Acts, passed in the Parliament in which that Act received the Royal Assent, not having been made up, at the Time when an authentic Transcript of the Act was wanted, the Tenour of the Act was transmitted into Chancery by the Clerk of the Parliaments on a Certiorari directed to him, and the Act was then exemplified from Chancery, as follows:

"GEORGE THE THIRD by the Grace of God King of Great Britain France and Ireland Defender of the Faith and so forth, To all to whom these Presents shall come, Greeting. WE have inspected our Writ of Certiorari issued out of our Court of Chancery bearing date at Westminster the first day of August in the Fortieth Year of our Reign together with the Return made on the back of the same Writ remaining of Record on the Files of our said Chancery in these Words to wit: GEORGE THE THIRD by the Grace of God of Great Britain France and Ireland King Defender of the Faith and so forth; To our beloved and faithful George Rose Esqr Clerk of our Parliaments Greeting: WE being willing for certain reasons to be certified about the Tenour of a certain Act made and ordained in our Parliament at Westminster in the Fortieth Year of our Reign intituled "An Act for the Union of Great Britain and Ireland," Command You, that the Tenor of the aforesaid Act with all things relating thereunto under Your Seal distinctly and openly without Delay You send to Us in our Chancery and this Writ. Witness Ourself at Westminster the first day of August in the fortieth Year of our Reign. Yorke.—The Execution of this Writ appears in a certain Schedule to this Writ annexed as within I am commanded; George Rose Cler Parliamentor. WE have inspected also the Schedule annexed to the said Writ remaining likewise of Record on the Files of our said Chancery in these Words to wit.—In the Session of Parliament begun at Westminster the 24th day of September in the Year of our Lord 1799 and holden in the 39th and 40th Years of the Reign of our Sovereign Lord George the Third, by the Grace of God of Great Britain France and Ireland King Defender of the Faith and so forth, by the Assent of the Lords as well Spiritual as Temporal and of the Commons and by the Assent of the King's Majesty the following Statute (amongst others) was ordained enacted and established to wit "An Act for the Union of Great Britain and Ireland." The Tenor of which Act follows in these Words "Anñ 39° & 40° Georgii 3^tii N° 241. Whereas in pursuance [*&c. copying the entire Act to the End,*] for that Part of the United Kingdom called Ireland." I George Rose Esquire, Clerk of the Parliaments, by virtue of the Writ of our said Lord the King of Certiorari to me directed, and to these presents annexed, Do certify that what is above written is the true Tenor of the Act of Parliament abovesaid in that Writ expressed: In Witness whereof to this Schedule I have set my Seal and subscribed my Name dated the first day of August in the Year of our Lord One thousand eight hundred. George Rose Cler Parliamentor. WE therefore have caused the said Writ and the Schedule aforesaid to be exemplified. In Witness whereof We have caused these our Letters to be made Patent; Witness Ourself at Westminster the Fourth Day of August in the Fortieth Year of our Reign.

Inspeximus of Certiorari and Return.

Certiorari.

Return.

Inspeximus of Schedule containing the Act, &c.

Certificate of Cler. Parl.

Exemplification. Teste.

ARDEN.[2] KIPLING.[3]"

[1] See Foster's Crown Law, pa. 47—50; State Trials, Hargrave's Edit. Vol. ix. pa. 650—670.

[2] Sir Richard Pepper Arden, Master of the Rolls.

[3] Mr. Kipling, Clerk of the Records in the Rolls Chapel.

APPENDIX. F.

OBSERVATIONS *on* ORIGINAL ACTS *and* INSTRUMENTS *in the Parliament Office at Weſtminſter, as compared with the Inrollments in Chancery, and the Journals of the House of Lords. Temp.* HEN. VII. *to* CAR. I.

THE INSTRUMENTS in the PARLIAMENT OFFICE commencing 12 Hen. VII. consist, in general, of Original Engrossments of Bills or Acts as they passed the respective Houses of Parliament and received the Royal Assent. These Instruments are all separate from each other; they are distinguished by Numbers, and tied up in Bundles, each of which ought to contain the respective Acts of the several Years, the Titles of which are entered in Calendars kept for that Purpose; but length of Time has produced some Irregularities and Deficiencies.

When the Bill originated in the Lords, *Soit baille aux Communs* is written on the Front, and sometimes also *Missus a Dominis*, signed by Cler. Parl. and then *A cest Bill les Communs ont Assentus:* If it originated in the Commons, then *Soit baille aux Seigneurs*, and afterwards, *A cest Bill les Seigneurs ont assentus:* Where any Provisoes or Clauses have been tacked to the Bill as Riders, these are noticed in the Assent of the Lords and Commons to the Bill in a general Manner, *ouesq' les Provisions annex;* and sometimes also in the Royal Assent. The Royal Assent or Refusal is indorsed; and to those which receive the Royal Assent the Name of *Henry R.* is written by the King at the Top, and in some Instances both at Top and Bottom. Many Erasures and Interlineations appear on these Acts, with Memoranda annexed. In general there is nothing written on any of the Acts to ascertain in what Year or in what Parliament they passed; they are all tied up separately, as Instruments unconnected with each other, otherwise than as being all rolled up together in one Roll of Parchment indorsed with the Year of the King's Reign, and buckled round with a Thong of Leather.—Many Instances occur of Acts missing, and mentioned in the Calendar so to be.

THE ROLLS containing the Inrollment of the Acts of each Year in CHANCERY, commence with 1 Ric. III. and are continued to the present Time; on these Rolls the Acts inrolled are entered in a regular Series, numbered progressively as they are entered on the Roll, without Regard to the Number of the original Act at the Parliament Office.

THE JOURNALS of the HOUSE of LORDS do not commence till the First Year of Henry VIII; and the Journals of the Years 4, 5, 14 & 15, 21, 22, 23, 24, 26, and 27 Hen. VIII, and 1 Mary, Session 1 and 2, are not preserved. In several Years the existing Journals contain an *Index Statutorum* or List of Acts passed in each Session.

HENRY VII.

12 Hen. VII. Anno 12 Hen. VII. The Roll in Chancery begins with the Forms of opening the Parliament, Names of Receivers and Triers of Petitions, the Election and Presentation of the Speaker: None of these appear in the Parliament Office. The Instruments in the Parliament Office N° 1, 2, 3, 4, 5, 6, & 7, answer to N° 5, 6, 7, 8, 9, 10, & 11, on the Roll in Chancery; being Chapters 1 to 7 of the Public Acts as usually printed. The Act for Fifteenths and Tenths, and the Act for Subsidy, which are numbered 12 and 13 on the Roll in Chancery, are tacked together in the Parliament Office, N° 8, and between them is a Slip of Parchment, with the Proviso in Favour of the Colleges in the Two Universities, &c. which is at the End of the Subsidy Act, No. 13, on the Roll.—See the Printed Parliament Rolls, vol. vi. pa. 519. No. 13, and pa. 521.

Two Schedules with the Names of Commissioners for levying the Subsidy entered on the Roll, in Chancery, as having been annexed to the Subsidy Act, do not appear at the Parliament Office.

The Bundle in the Parliament Office of this Year, 12 Hen. VII., contains a Letter or Writ on Paper, of which the following is a Copy:

H.R. By the King.

[*The King's Signature.*]

Trusty and welbeloued We grete You well And for somouche as we haue commaunded our Right trusty Counseillor the Maister of our Rollys to deliver unto you certain Rolles for thentre of the contynue of a bil of Prouiso signed w^h^ oure hand of and vpon an Office by us graunted unto our trusty ſu^e^nt William Stafford Wee therfor Wol that when ye shall have duely entered the said bill of prouiso into the forsaid Rollys Ye Doo the same to be redeliuered again vnto oure said counseillo^r^ And these our ſres shalbe Yo^r^ Warrant in that behalue Yeuen under oure signet at o^r^ palas of Westm^r^ the furst day of Decembr̄ the xiiij^th^ Yere of our Reigne.

Indorsed—To our trusty and welbeloved the Clerc of our pliament.

The Proviso alluded to is annexed to the Letter on a Slip of Parchment, signed by the King, and indorsed—

iiij decēbr̄ a° xiiij H. 7. irr^r^ ī Roīlo a° iij r̄. r̄. Henr̄ vij.

This Proviso is entered on the Roll in Chancery of 3 Hen. VII. at the End of the Roll, after the Signature "J. Morgan," who was Clerk of the Parliament in 3 Hen. VII. and is signed R. Hatton, who was Clerk of the Parliament in 12 Hen. VII. and 19 Hen. VII. No Parliament was holden in 14 Hen. VII. None of the Statutes 3 Hen. VII. are in the Parliament Office. See the Printed Rolls of Parliament, vol. vi. p. 407, 408; See also a similar Instance, Printed Rolls, vol. v. p. 516. 4 Edw. IV. nu. 10.

This Bundle also contains Articles of Accusation against Thomas Yotten, the Town Clerk of York, on a Roll of Parchment, apparently incomplete: This does not appear to have been any Parliamentary Proceeding whatever.

The introductory and concluding Forms to each Act, "Item quedam Billa," &c. and the Conclusion "Qua quidem Billa," &c. which during this Period are respectively inserted at the Beginning and End of each Act on the Roll in Chancery, are never inserted on the Original Act at the Parliament Office.

19 Hen. VII.—The introductory Forms of opening of the Parliament, &c. which as usual are on the Roll of Chancery, do not appear on any Instrument at the Parliament Office. 19 Hen. VII.

The Act entered on the Roll in Chancery No. 2. *pro Principe*, is wanting at the Parliament Office. The Act, For the Monastery of St. Saviour of Sion, No. 33. at the Parliament Office, is No. 6. on the Roll in Chancery. This Act provides that if the King shall at any Time during the Parliament &c. make any Covenant by Indentures with the said Convent respecting certain Matters mentioned, that such Indentures &c. shall stand and be as an Act of this present Parliament, and be of like Force, as if they were entered in Parliament, and in the Rolls of the said Parliament remaining of Record—No. 7. on the Roll in Chancery is an Entry of an Indenture on the Subject alluded to in No. 6. This does not appear in the Parliament Office.

No. 34. in the Parliament Office (a Subsidy Act) is No. 11. on the Roll in Chancery: The Schedule of Names annexed to this Act is contained in the Parliament Office, in a long narrow Roll, consisting of many Rolls tacked together, and the Order of the Counties is different from what appears on the Roll in Chancery or the printed Copy of it. On the Roll at the Parliament Office several Places are inserted, and the Names of the Commissioners appointed crossed through. These are omitted on the Roll in Chancery.

No. 19. on the Roll in Chancery, Chapter 9. of the Public Acts as printed, is missing at the Parliament Office.

No. 24. in the Parliament Office, an Act for Attainder of Lord Audley and others, is No. 21 on the Roll in Chancery: This Act, in the Parliament Office, is contained in Two Sheets of Parchment and Two Riders or Provisoes, tacked all together; One of these Sheets and both the Riders are signed H. R. but no Royal Assent appears indorsed on any of them.—In the Bundle of this Year is the following Letter from the King to the Speaker of the House of Commons, directing the Erasure of the Name of Robert Symson from this Act. On the Act, as in the Parliament Office, an Erasure appears accordingly in various Places before the Name of John Watson. In the Roll all is fair, and the Royal Assent is entered.

H. R. By the King.

[*The King's Signature.*]

Trusty and welbeloved we grete you wele And where as a bill of attaynder cam lately unto you to pass by the Assent of this present Parliament in the which Bill oon Robert Symson of our Citie of London gentilman is recited amongst other Rebellys to passe in the said Attayndre We for certain Causes us moving Wol and comand you to doo the name of the said Robert Symson by whatsoever Name or Names he be called to rased and strocken owte of the said Bill and these o^{r} lres shalbe your sufficient Warrant in that behalve. Yeven under our Signet at our Palais of Westm^{r} the xxviijth day of Marche.

Indorsed—To our * * * Dudley Speker [Sir Edw. Dudley was Speaker this Year. See Rot. Parl. 19 H. VII.]
* * * Mordaunt Knight.

No. 8. in the Parliament Office is No. 27. on the Roll in Chancery, and Chapter 10 of the Public Acts as printed. The last Proviso to this Act, in favour of H. Wyatt, was omitted in the old Editions of the Statutes, but was inserted by Cay. On the Roll in Chancery it appears that this Proviso was omitted at first to be entered, and was afterwards inserted in a Rider annexed, and signed "*Ex^{d} per me R. Hatton.*"

On No. 27. in the Parliament Office, which is No. 32. on the Roll in Chancery, the Royal Assent is written twice.

No. 20. in the Parliament Office, respecting the Staple at Calais, is No. 3. on the Roll in Chancery. Tacked to No. 20. is an Instrument beginning "*Also* where," &c. but which appears to have been a separate Bill, with separate Assent of both Houses and the King. The Royal Assent was first "Soit fait come il est desire," but this is run through with a Pen, and "Le R. le veut," written instead: This is entered on the Roll in Chancery nu. 33, as a separate Act, with the latter Form of Assent; and is Chapter 22 of the Printed Acts "For Attornies and Factors at Calais."

The Bundle at the Parliament Office of this Year, 19 H. VII. also contains—1. A Roll of Names of Commissioners for the Subsidy, not belonging to this Year, nor on the Roll in Chancery, but probably belonging to 12 Hen. VII.—2. The King's Letter for Symson above stated.—3. A Bill (Number 22.) to repeal an Act, 4 H. IV. that Merchandize should be charged and discharged at the greate Ports of the Realm, and not in Creeks, &c. Indorsed *Le Roy se advisera.* In the Calendar it is called "An Act concerning Creeks, &c."

HENRY VIII.

The Act for the Expences of the King's Household, distinguished in the List of Acts contained in the modern Editions as Cap. 1. of the Private Acts, and being No. 1. on the Roll in Chancery, 1 Hen. VIII, is missing from the Bundle of that Year at the Parliament Office.—The Act for Confirmation of Letters Patent to Queen Katherine for her Dower, No. 3. on the Roll in Chancery, and Cap. 3. in the printed List of the Private Acts, is also missing from the Bundle of that Year, but is included in the Bundle of 3 Hen. VIII. and the Title indorsed, in a Hand more modern than the Acts, 3 Hen. VIII.—Of the Act for the Limitation of Actions popular, Cap. 4. of the printed Acts, 1 Hen. VIII., two Copies appear at the Parliament Office; one with the Royal Assent, and the other with an 1 Hen. VIII.

Indorsement of *Le Roy s'avisera.* In the first, the Time of the Continuance of the Act, till the next Parliament, is written on an Erasure, and the Word "*notwithstanding*," which is material to the Sense, is omitted, as it is also in the Roll in Chancery. In the other Copy at the Parliament Office, the Words, "*till the next Parliament*" are run through with a Pen, and the Words "*for ever*" added. In this Copy the Word "*notwithstanding*" appears: In all other Respects the Copies are Duplicates of each other.

A Bill respecting Hunting, with "*Le Roy s'avisera*" indorsed, is contained in the Bundle of this First Year at the Parliament Office, as also a Recognizance, on Paper, from the Bishop of Coventry and Litchfield. In the same Bundle are also contained two Sets of Provisoes, but to what Acts they belong does not appear, nor are they contained in any Act of 1 Hen. VIII. on the Roll in Chancery.—There is also a separate single general Proviso in Favour of the Hanse Merchants, exempting them from the Operation of any Acts of that Session, which does not appear on the Roll in Chancery. These Provisoes are all signed by the King.

3 Hen. VIII. To No. 4. in the Parliament Office, in the Bundle of 3 Hen. VIII., No. 9. on the Roll in Chancery for that Year, and printed as Chapter 4 of the Public Acts, for the Protection of Persons in the War, the Assent of the Commons is expressed, "oue le Schedule annex." This Schedule contains loose Memoranda of a Proviso to be added to, and of various Alterations to be made in, the Act. The Alterations are made on Erasures accordingly; and in the Entry on the Roll in Chancery the Proviso is added, and the Act entered as corrected. The Royal Assent or Signature does not appear to the Schedule in the Parliament Office.—To Cap. 11. No. 11, in the Parliament Office, respecting Physicians and Surgeons, a Memorandum is annexed "That Surgeons be included like as Physicians for preventing the Mischief of ignorant Persons presuming to exercise Surgery."[1] and every Thing relating to Surgery is accordingly interlined. This Act is entered twice on the Roll in Chancery, No. 18. and No. 22. exactly alike, and with the Insertions as to Surgeons.

To No. 21. in the Bundle of this Third Year in the Parliament Office, No. 1. on the Roll in Chancery, and Chapter 1. in the List of Private Acts, as printed in the modern Editions of the Statutes, three Provisoes annexed are signed by the King, and included in the Assent of the Commons. A separate Bill is also annexed, beginning, "Be it furthermore enacted," with distinct Assent of the King, and of the Lords and Commons; all these are included in one Act in the Roll in Chancery.—To No. 23. in the Parliament Office, being No. 7. on the Roll in Chancery, which is a Subsidy Act, the Royal Assent is endorsed on the Act at length, "Le Roy remercie ses Coms, &c." On the Roll the Assent is expressed, "*Le Roy le veult.*"—No. 8. on the Roll in Chancery is wanting at the Parliament Office.

No. 16. in the Bundle of this Year at the Parliament Office, is No. 4. on the Roll in Chancery, and Chapter 4. in the printed List of Private Acts. No. 17. in the Parliament Office, is No. 2. on the Roll in Chancery, and Chapter 2. in the printed List of Private Acts. No. 16. and 17. in the Parliament Office, are both indorsed, "Soit fait, &c. oue les Provisions a y celles annexes" To No. 17. there are twenty-five Provisoes annexed, in separate Slips of Parchment; to No. 16. no Provisoes are now annexed: It appears, however, that eight of the twenty-five Provisoes annexed to No. 17. belong to No. 16. and these are accordingly so entered on the Roll in Chancery. All these Provisoes are signed "Henry R." in the King's Hand-Writing. One is indorsed "Le Roi le veut." On the Front of another is written, in a Hand quite different from the Text of the Proviso,

"Vacat̃ p expressum meum consẽsum } p me Edum Sutton Dom. Dudley."

But no Notice is taken of this in the Roll in Chancery, where this Proviso is regularly entered in the same Manner as the other Provisoes. On the Face of one of the Provisoes is written, "By the King," in the same Hand as the Body of the Proviso.

An. 5, 6, 7 Hen. VIII. Journal wanting in An. 5. The Acts of the Years 5 Hen. VIII., 6 Hen. VIII., and 7 Hen. VIII. at the Parliament Office, appear to have been intermixed with each other, and afterwards arranged, and their Titles inserted in the Calendar, without Reference to the Roll in Chancery or to the Journals of the House of Lords: The Bundle of the 5th Year contains only ten Acts, the Titles of which appear in the Calendar as being all the Statutes of that Year. On the Roll in Chancery of that Year are nineteen Acts: The nine deficient Acts at the Parliament Office are mixed in the Bundles, and inserted in the Calendar, as of the 6th and 7th Years.

One of the Acts of the 7th Year, Cap. 5. of the Public Acts, is missing from the Bundle at the Parliament Office, and so marked in the Calendar: And in the Bundle of the 6th Year, No. 28. is an Act of the 4th Year.

To the Act of Resumption of 6 Hen. VIII., No. 25. in the Parliament Office, among several other Riders or Schedules annexed was one in Favour of George Earl of Shrewsbury, which, by some Mistake, was omitted to be inserted in the Roll in Chancery when the Act was there inrolled. See No. 8. on that Roll. To remedy this Defect, the Original Rider or Schedule, signed with the King's Hand, has been taken from the Instrument at the Parliament Office, and tacked to the Roll in Chancery, with a Reference to the Place where it should be inserted; and to the Instrument at the Parliament Office is added a Copy of the said Rider or Schedule, with a Notice that the Original was so annexed to the Roll in Chancery.[2]

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[1] This Memorandum is copied in the Edition by Cay; and all subsequent Editions.

[2] See Lords' Journals, vol. i. p. 48. "Mem. qd hodie ex mandato dni Cardinalis & alioꝝ Dñoꝝ mandat̃ erat Clico Plñti qd annecteret actui resumptionis quandam provisionem regia manu signatum pro Georgio Comiti Salop: et qd eandem provisionem faceret irrotulari in Rotulo Ptñti."

None of the Acts of the two Sessions of Parliament, the one holden in 14 & 15 Hen. VIII. and the other in 21 Hen. VIII. are to be found in the Parliament Office; nor is any Notice taken, in any of the Calendars or Indexes there, of any Acts passed in either of those Years: Nor is there any Journal of the House of Lords for those Years. The Acts, however, are entered on the respective Rolls of each Year in Chancery. Several Acts on the Roll of the Session 14 & 15 Hen. VIII. want the Form of the Royal Assent at the End of the Act; but this is supplied by the very full and explicit Conclusion of the Roll, which states the Royal Assent being given at the End of the Parliament to all the Public Acts, which were read "*per initia*" for that Purpose.

An. 14, 15 Hen. VIII. 21 Hen. VIII. Journal wanting.

The two last Articles on the Roll in Chancery, of the 23d Year, No. 33. and 34; No. 33. entitled, "An Act concerning Restraint of Payment of Annates to the See of Rome;" No. 34. entitled "The Ratification of the Act restraining the Payment of Annates to the See of Rome;" are wanting at the Parliament Office. Some remarkable Circumstances respecting these two Articles, and also one in the 25th Year, shall here be stated.

23 Hen. VIII. Journal wanting.

The first of these, No. 33. is not inserted in the old Editions among the Statutes 23 Henry VIII; but is printed in Pickering's Statutes, vol. iv. pa. 247—251; and Ruffhead's Appendix, pa. 117, as Cap. 20 of that Year. It contains, towards the Conclusion of it, a Proviso that the King may, at any Time on this Side the Beginning of the next Parliament, "by his Letters Patents under his Great Seal, to be made and to be entered of Record in the Roll of this present Parliament," have Power to declare whether the Act shall take place as a Statute or not. After the Ingrossment of the Act on the Roll are added, very unusually, the Forms written on the Bill to signify the several Assents of the two Houses; viz. "Soit baille aux Communs." "A cest Bille les Communs ont assentus." In a different Hand writing, and apparently written some short Time afterwards, the usual Form of the Royal Assent is added;—"Cui quidem Bille plecte & ad plenum intellecte p dčum Dñium Regem ex assensu & auctoritate plmenti predicti taliter responsum est; Le Roy le volt."—Then follows on the Roll. "Memorandum quod nono die Julii, anno regni Regis Henrici octavi vicesimo quinto, Idem Dñs Rex per literas suas patentes sub Magno Sigillo suo sigillaŧ, actum predictum ratificavit, et actui illo assensum suum regium dedit, put per easdem literas patentes cujus tenor sequitur in hec verba, magis apte constat.

"Rex Ōbꝫ ad quos, &c. Saltem. Inspeximus quendam actum editum in plñito nostro inchoato tertio die Novembř anno regni ñri vicesimo primo & abinde p diversas ꝓgačões & adhuc continuaŧ; cujus quidem actus tenor sequitur in hec verba. Forasmuch [*repeating the Act verbatim from Beginning to End*] in any Manner wise. Sciatis q̄d nos Deum p̄ oculis habentes, ac commodum ꝓficuum & utilitatem regni ñri & subditoꝝ nr̄oꝝ ꝓut cura regali astringimur intime considerantes, actum predicť ac omnia & singula in eodem contenť et superius specificaŧ p nobis heredibꝫ & successoribꝫ ñris Ratificavim⁹ acceptavimus approbavimus & confirmavimus, ac per presentes ratificam⁹ acceptam⁹ approbam⁹ et confirmam⁹, & actui illo regium nr̄m assensum damus: Necnon actum illum ac omnes et singulas clausulas et sentencias in eodem contenť pro communi utilitate et proficuum regni nr̄i observari obediri ac in executionem poni & demandari volumus decernimus declaramus et precipimus, p presentes ratum & gratum ħentes et ħituř totum & quicquid in eodem actu continetur. In cujus rei, &c. T. R. apud Westm̄ nono die Julii anno regni nr̄i vicesimo quinto."

The Ratification of the Act restraining the Payment of Annates to the See of Rome. 34.

As before observed, neither the original Act nor the Ratification appear in the Parliament Office.

In the 25th Year of Hen. VIII. the Act printed in all Editions as Cap. 21. of that Year, intituled in the modern Editions, "The Act concerning Peter Pence and Dispensations" contains a Power to the King to declare the Time when the Act shall commence, "by Letters to be enrolled in the Parliament Roll," and also, a Power to annul the Act by like Letters Patents. In the original at the Parliament Office, these Provisions are contained in a Schedule annexed to the Act; they are not printed in any Edition of the Statutes previous to Cay's, in which and subsequent Editions they are numbered as Sections 28, and 29 at the Conclusion of the Act. The Words "Soit fait come il est desiré" are written at the Top of the Act; but in the Roll in Chancery, No. 27, the Act is introduced and concluded by the usual Forms of a Publick Act, and the Answer is *Le Roy le veult*; after which is entered a Memorandum similar to that annexed to 23 Hen. VIII. No. 33. except the Date of the Letters Patent, which is "7 April, 25 Hen. VIII." a few Days after the rising of the Parliament; and then, "Rex Ōibꝫ, &c. Inspeximus, &c. [*Reciting the Act verbatim*] Sciatis quod nos Statutum predictum pro communi utilitate regni nr̄i & subditoꝝ ñroꝝ fore considerantes, ac ad humilem peticionem tocius communitatis dicti ñri plñti processuř, ad quem subditoꝝ ñroꝝ petičõem graciose moti & inclinati sumus, Statutum predictum & omnia & singula in eodem contenť, excepta illa clausula quod statutum illud non incipiet cape effectum ante festum nativitatis Sči Johis Bapte px futuř, ratificavimus acceptavimus approbavimus et confirmavimus, ac p presentes literas ñras patentes ratificamus acceptamus approbamus & confirmamus: Ac statutum illud & omnia & singula in eodem specificaŧ, excepť p̄excepť, juxta auctoritatem nobis in quadam provisione eidem Statuto annex̄ concessam, volumus declaramus & firmiter injungendo mandamus in executionem poni & demandari immediate post diem daŧ presenť: Ita quod, immediate post diem daŧ presenciū, Statutum illud incipiet capere effectum et in õibꝫ reputabitur in effectu; et q̄d debite utetur obedietur et observabitur juxta tenorem ejusdem; aliqua clausula ꝓvisionis in eodem Statuto contenť sive eidem annex̄ in contrarium, in aliquo non obstante. In cujus Rei Testimonium has literas ñras fieri fecimus patentes in rotulo dči plñti nr̄i juxta tenorem & provisionem statuti predicti irrotulandˉ. Teste me ipo apud Westm̄ septimo die Aprilis anno regni ñri vicesimo quinto." The Instrument of Ratification does not appear at the Parliament Office.

25 Hen. VIII.

26 H. VIII. Journal wanting.

Many Instances occur, in the Acts 26 Hen. VIII., where no Form whatever of Royal Assent appears on the Instruments at the Parliament Office, but the regular Forms appear on the Roll in Chancery. Several Instances also occur where the Form of the Royal Assent is different on the Roll to that which appears at the Parliament Office.

33 H. VIII. Commission for giving the Royal Assent.

In anno 33 Hen. VIII. occurs what is believed to be the First Instance of the Royal Assent being given by Commission: unless the Proceedings in An. 23 and 25, already stated, may be considered in that Light. It appears by the Journals of the House of Lords[1], that the Chancellor produced two Acts agreed to by the Lords and Commons, one for the Attainder of the Queen and her Accomplices, and the other for proceeding against Lunaticks in Cases of Treason; each Act being signed by the King, and the Royal Assent being signified by a Commission under the Great Seal signed by the King, and annexed to both the Acts. And thereupon the Lords agreed to call for the Commons, that in the Presence of both Houses the Authority of Law may be given to both the Acts, which was done; "quod et factum est." Meanwhile the Commons arrived; and the Duke of Suffolk made a Report from the Committee ordered to attend the Queen, that she acknowledged her Crime, and prayed Indulgence. This is all that appears on the Journal respecting these two Acts. The Commission is not, as in subsequent Cases, given at Length in the Journal, but the original Instrument is preserved at the Parliament Office, to which both the Acts are attached, and the Whole is joined together by the Label which holds the Great Seal. These are preserved in the Bundle, and entered in the Calendar of the 37th Year, at the Parliament Office, instead of the 33d. The following is a Copy of this Commission:

"HENRY R

Henry the Eight, by the Grace of God King of Englonde, France, and Ireland, Defender of the Faithe and of the Church of Englonde, and also of Ireland, in Erthe the Supreme Head. To our right trusty and right well beloved the Lords Spũall and Temporall, and to our trusty and right well beloved the Knights, Citizens, and Burgesses, the Commons in this present Parliament assembled, Greeting: We have seen and pfightlie understood two Acts and Ordinances annexed and affyled to these Presents, agreed and accorded by you our loving Subjects the said Lords Spũall and Temporall and the said Commons in this our present Parliament assembled, and severally endocyde by you as hath been accustomed; The one of the said Acts concerning the Attainder of the Queene and other her Complices, and the other concerning a Law and Ordinance divysed for suche Persons which after their Confessions or Conviccions of Treason shall happen to fall mad or lunatick, with diverse Clauses, Articles, and Provisions conteyned in either of the said Acts: And forasmuch as ye our said Subjects the said Lords and Commons have most humblie desired us, amongst other Things, by the Contents of one of the said Acts concerning the Attainder of the Quene and other her Complices for diuers Respects and Considerations therein expressed, and for the speedy Execution thereof, to put thereunto our Royal Assent by our Letters Patent to be assigned with oure Hande and sealed with our Great Seale, We have therefore at your humble Contemplacion and Desire, caused these our Letters Patent to be made, and have signed and caused the same to be sealed accordingly, and by the same declare and notify, as well to you the said Lords Spũall and Temporall and Commons aforesaid, as to all and singular other our loving Subjects, that We, in Accomplishment of your humble Desyres, by these presents do putt our Royal Assent to the said Acte and Ordinaunce concerning the Attainder of the Quene and other her Complices therein named, and to all Articles, Clauses, and Provisions therein contained; and also for divers Considerations us moving, do put our Royal Assent to the other said Act dyvised for such Persons as after their Confessions or Conviccions of Treason happen to fall madd or lunatick, and to all Clauses, Articles, and Provisions therein conteyned; and be fully agreed and assented to both the said Acts: Willing that the said Acts, and every Article, Clause, Sentence, and Provision therein conteyned from henceforth shall be of the same Strength, Force, and Effect, as if We had been personally present in the higher House, and had openly and publickly in the Presence of you all assented to the same; Commanding also by these Presents as well our Chancellor of England to seal these our Letters Patent with our Great Seal, and to declare and notify this our Royal Assent, in our Absence in the higher House, in the Presence of you the said Lords Spũall and Temporall and Commons of our Parliament, there to be assembled for that Purpose, as the Clerk of our Parliament to endoce the said Acts with such Terms and Words in our Name as is requisite and hath been accustomed for the same, and also to enroll these our Letters Patent in the Parliament Roll; and these our Letters Patent shall be to every of them sufficient Warrant in that Behalf; and for more surety hereof we have assigned the said Acts with our Hand; and finally declare and will, that after this our Royal Assent passed by these Presents, and declared and notified as is aforesaid, that then immediately the said Acts and every of them shall be taken, accepted, and admitted good, sufficient, and pfight, to all Entents, Constructions, and Purposes, and to be put in due Execution accordingly; the Continuance of our Parliament, or any other Use, Custom, Thing or Things, to the contrary thereof notwithstanding." [No Date or Teste.]

These Acts have been printed as Chapters 20 and 21 of 33 Hen. VIII. in all Editions: But the Titles of them do not appear in the *Index Statutorum* at the End of the Journal of this 33d Year[2], in which Forty-four Acts are specified. The Act respecting Lunaticks having committed Treason [chapter 20.] is on the Roll in Chancery, [nu. 15.] but the Act for the Attainder of the Queen [chapter 21.] is not found entered on that Roll; nor is the Commission for giving the Royal Assent, though required in the Commission to be entered thereon.[3] There are Two Rolls in Chancery of this 33d Year, Duplicates, each containing only the same Twenty-two "Public Acts" of that Year, and no List of the Private Acts: The Printed Statutes contain Thirty-nine Chapters as Public Acts; but several of them relative to matters merely local or personal; and Ten Private Acts, Three of which are not specified in the *Index Statutorum* of this Year above mentioned.

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[1] Vol. I. pa. 176. [2] Journal, vol. I. pa. 198.

[3] This Act contains the following Clauses: "Be it declared by Authority of this present Parliament, That the King's Royal Assent by his Letters Patent under his Great Seal, and assigned with his hand, and declared and notified in his Absence to the Lords Spiritual and Temporal, and to the Commons, assembled together in the High House, is and ever was of as good strength and force as though the King's Person had been there personally present, and had assented openly and publickly to the same.—And Be it also enacted, That this Royal Assent, and all other Royal Assents hereafter to be so given by the Kings of this Realm, and notified as is aforesaid, shall be taken and reputed good and effectual to all Intents and Purposes, without Doubt or Ambiguity; any Custom or Use to the contrary notwithstanding."

The *Index Statutorum* of several Sessions in this Reign, does not agree accurately in its Contents, nor in its Arrangement, nor in the Titles of the Acts, either with the Roll in Chancery, or with the Calendar at the Parliament Office. The *Index* which is at the End of An. 34 & 35 Hen. VIII.[1], is distinguished particularly by having, opposite to several of the Articles, Numbers, not in a regular Series, but which tally exactly with the Acts as numbered on the Roll in Chancery. The whole Number of Acts in this Index is Forty-eight; of which Thirty-six only are on the Roll in Chancery, and distinguished in this *Index Statutorum* by Numbers accordingly; the Titles very nearly, but not exactly agreeing. The Calendar of the Acts, and the corresponding Bundle in the Parliament Office for this Year also enumerate and contain Forty-eight Acts; but of these there are Two Numbers 37 and 47 in the Calendar, concerning some Estates of the Countess of Devon and Earl of Hertford, which do not appear either in the Roll in Chancery or in the *Index Statutorum* in the Journal; while Two which are contained as well on the Roll, No. 3, 4, as in the said Index, No. 12, 13, are omitted in the Calendar and Bundle at the Parliament Office: These are the Acts for the Subsidy of the Temporalty and of the Clergy. A further Instance of Inaccuracy is, that this Bundle does actually contain a Subsidy Act of some preceding Year, but which is not noticed in the Calendar.

34 & 35 Hen. VIII.

In Anno 35 Hen. VIII. all the Acts appear to have been passed by Commission. The Commission, and also the Acts which received the Royal Assent thereby, were required to be enrolled in the Parliament Roll[2]. But this Commission does not appear on the Roll in Chancery, nor is the Original to be found in the Bundle of that Year at the Parliament Office. The Royal Assent appears at the Top of the Front of the Acts, some of which have also the Royal Sign Manual at the Top, but some of them are without it; though the Omission of that Sanction appears unusual before this Time. The Acts are all separate, and no Intimation appears upon any of them of their having received the Royal Assent by Commission.

35 Hen. VIII.

In the Journal of the Thirty-eighth Year, the last of King Henry the Eighth's Reign, there appears a Commission[3] to give the Royal Assent to the Attainder of the Duke of Norfolk and the Earl of Surrey; as also an Entry of the Assent being given by the Commissioners, in the Presence of the Lords and Commons accordingly. There is no Roll in Chancery of the Parliament of this Year; and this appears to have been the only Act passed in that Session, as the King died next day, and the Parliament was dissolved. The Commission, and the Act for the Attainder annexed, are preserved in the Parliament Office, in the Bundle, and entered in the Calendar, of the Thirty-seventh Year. At the Bottom of the Commission, on the Left Hand, appears the King's Sign Manual, remarkably fair. At the Top of the Act are written the Words of Royal Assent "Soit fait" &c. But the Sign Manual is not upon the Act.

38 Hen. VIII.

MARY.

In the First Year of Queen Mary, Sess. 2. the Duke of Norfolk applied to make void the Act of Attainder passed, as above mentioned, in 38 Hen. VIII., and an Act was passed for that Purpose. See No. 34. on the Roll, 1 Mary, in Chancery; and No. 27. of the Acts of that Year, in the Parliament Office; the latter is thus endorsed: "Certificat' in Cancellar' Dñe nr̃e regine xij° die Decembr̃ A° regni Regine Marie primo." The Session ended on December 6. The Act was not specially certified by itself into Chancery, nor otherwise than in the Parliament Roll of that Year, which is signed "Examinat' et Certificat' p me Franciscum Spelman Cler̃ Parliamentor̃." Several other original Acts of this Year are indorsed with the Word "Certificat'," only. There is no Journal of this Session. The Contents of this Act are important, in a general view, with relation to the Ratification and Evidence of an Act of Parliament. It is classed in the later printed Editions as Cap. 13. of the List of Private Acts of 1 Mary, Sess. 2: but has never been printed at length in any Edition of the Statutes. The following is copied and abridged from the Roll in Chancery, which has been compared, and found to agree with the Original in the Parliament Office.

1 Mary. Journal wanting.

An Act, declaring the supposed Attainder of Thomas Duke of Norfolk to be void. 34.

"In most hũble wise sheweth unto your Highness, your humble and obedient Subject and Suppliant, Thomas Duke of Norfolk; That where in the Second Session of the Parliament holden the 38th year of the Reign of your most noble Father K. Henry 8th, there was one Bill exhibited unto the same Parliament, the Tenor whereof hereafter ensueth: [*Copy of the Bill*]. As by the same Bill more at large appeareth: Whiche Bill so exhibited was assented unto by the Lords and Commons of the same Parliament; and for the Royal Assent and Consent of the said King to be had to the said Bill, forasmuch as the said late King was then in such Extremity of Sickness and pile of Death that he could not psonally be in the Parliament Chamber as is accustomed, one Commission was directed in the Name of the said late King to the R^t Hon. Thos Wrotteslye, [&c. *naming the Commissioners*] the Tenor of which Commission hereafter also ensueth: HENRICUS, [&c.] Salutem—Cum quedam Petitio formam Actus Attincture versus Thomam ducem Norff et Henricum nuper Comitem Surr̃ Nobis in presenti Parliamento nostro exhibita extitit, ac Domini et Magnates ac Communitas Regni nostri Anglie, in eodem presenti Parliamento nostro existentes, super Petitione predicta ac de et super omnibus et singulis contentis et specificatis in eadem plenarie et totaliter concluserint et concordaverint; Nos eidem Petitioni, nec non omnibus et singulis super eadem conclusis et concordatis, Regium nostrum Assensum et Consensum duximus adhibendum et prebendum: Sciatis igitur quod Nos, de fidelitatibus Industriis et providis Circumspectionibus vestris, plurimum confidentes, Assignavimus vos et tres vestrum, ac tenore presentium damus vobis et tribus vestrum plenam Potestatem et Auctoritatem et Mandatum Speciale, Petitioni predicte, necnon omnibus et singulis conclusis et concordatis in presenti Parliamento predicto super eadem petitione, Nostrum Regium Assensum & Consensum adhibendi et prebendi; et ideo vobis Mandamus quod circa premissa diligenter intendatis ac ea faciatis et exequamini indilate, cum effectu. Significamus enim tenore presentium omnibus et singulis Dominis, Magnatibus, et Communitati dicti Regni Anglie, in predicto presenti Parliamento nostro existen̄, Nos ratum, gratum, et firmum habentes et habituros, totum et quicquid vos, vel tres vestrum, feceritis vel fecerint

[1] Journal, vol. I. pa. 235. [2] Journal, vol. I. pa. 264. [3] Journal, vol. I. pa. 289.

nomine nostro in premissis. In cujus rei Testimonium has Litteras Nostras fieri fecimus patentes. Teste meipso apud Westm̃ vicesimo septimo Januarii Anno Regni nostri 38°.—As by the same Commission affyled unto the said Bill more playnely also appeareth: By virtue of which Commission and at the Commandment of the said Commissioners in the Absence of the said late King there was entered in the hedd of the said Bill these Words following, viz. "Soit fait come il est desire:" And forasmuch, most gracious Sovereign Lady, as the Offence wherewith your said Suppliant and Subject was charged and whereof he was indited was for bearing of Arms which he and his Ancestors heretofore of long Time and Continuance had borne, as well within this Realm as without, and as well also in the Presence of the said late King as in the p̃sence of divers of his ꝑgenitors, [&c:] And forasmuch also as the said late King departed from this transient World in the Night next following after that the said Commission doth bear Date; and that by the Words contained in the said Commission it appeareth that the said late King did appoint the said Commissioners to give His Majesty's Royal Assent to the said Bill, having no Words in the same whereby it may appear that the said late King did himself give his Royal Assent to the said Bill, and for that also the said Commission was not signed with his Highness' Hand, but with his Stamp, put thereunto in the nether Part of the Writing of the said Commission, and not in the upper Part of the said Commission as His Highness was accustomed to do; nor that it appeareth of any Record that the said Commissioners did give his Royal Assent to the Bill aforesaid; therefore all that was done by virtue of the said Commission by the said Commissioners concerning the giving of the said late King's Royal Assent and Consent was clearly void in the Law, and made not the same Bill to take effect or to be an Act of Parliament, nor Your Grace's said Subject thereby is not nor yet standeth as a Man attainted in the Law: All which notwithstanding, divers and sundry ꝑsons, taking Occasion by the Colour of the said Bill so assented unto as is aforesaid, do publish, say, and affirm, that Your Highness' said Subject and Suppliant standeth and remaineth attainted of High Treason, to his great Slander, Infamy, and Disherison: and over that the said Persons by sinister Means and Practices have obtained certain Exemplifications under Your Highness' Greate Seal of England to be made, of the said Bill only, as a Bill fully assented unto, as well by the said late King as by the Lords and Commons in the said Parliament assembled, making no mention in the said Exemplification of the same Commission (altho' the same be affiled and annexed unto the same Bill, and made as Parcel of the Record and a Demonstration of the whole Truth of the Matter) nor of any the Circumstances thereof: By the Means whereof, and other such like Practices, which the Persons aforesaid do not cease daily to attempt, altho' the said Bill remaineth in very Deed as no Act of Parliament, but as a Bill only exhibited in the said Parliament, and only assented unto by the said Lords and Commons, and not by the said late King, for the Considerations aforesaid, yet the same might happen hereafter by reason of the said Exemplifications, and such like untrue Practices, to be taken for a good and perfect Act, contrary to all Truth, whereby your said Suppliant and his Posterity may be hereafter in some Peril and Danger to be disinherited and shall be the less able to serve Your Highness and this Realm, if some convenient Remedy for the same, in this Time that the said untrue Practices do rise and manifestly appear in the Conscience and Knowledge of them that be now living, be not therefore had and declared by Authority of Parliament: For the true and perfect Declaration whereof it may please Your Highness that it be declared by the Authority of this present Parliament, That the Law of this Realm is and always hath been that the Royal Assent or Consent of the King or Kings of this Realm to any Act of Parliament ought to be given in his own Royal Presence, being personally present in the Higher House of the Parliament, or by his Letters Patent under his Great Seal, assigned with his Hand, and declared and notified in his Absence to the Lords Spiritual and Temporal and Commons assembled together in the Higher House, according to the Statute made in the xxxiij[a] Year of the Reign of the said late King Henry the Eighth in that Case ordained and provided[1]; and that the said pretended Act, whereby it is supposed your said Suppliant to be attainted, is by the common Laws of this your Realm void and of none Effect, and by the Authority abovesaid shall be taken, adjudged, and deemed, to be no Act of Parliament, and that it never took any Effect as an Act of Parliament, and that the same, by the Authority of this Act, to all Intents and Purposes, is and shall be of no Value or Effect, for the Causes aforesaid.

[Proviso, that this Act shall not affect any Grants made of the said Duke's Lands by K. Edward VI.]

And be it further enacted, that all and singular Exemplifications heretofore had, made, obtained, or exemplified, at the Suit, Request, or Petition of any Person or Persons, or hereafter to be made, had, or exemplified, under the Great Seal of England, of the Tenor of the said pretended Act, and wherein no Mention is or shall be contained or made of the Tenor of the said Commission and of the Entry of the Words of the Royal Assent entered by Authority of the said Commission, shall be utterlie void and of none Effect, and shall not be pleadable or answerable in any Court or Courts of Your Highness, Your Heirs or Successors, or elsewhere.

[The Duke of Norfolk may enter into Lands accordingly;—Saving of Rents, Customs, and Services.]

[Proviso, That the Duke should not have the mean Profits.]

CHARLES, I.

1 Car. I. Anno 1 Car. I.—In the Parliament Office all the Acts of this Session, nine in Number, are fastened together by means of a Label passed through the Bottom of all the several Rolls and Sheets of Parchment on which the Acts are respectively written, and also through the Bottom of the Commission for giving the Royal Assent. Attached to this Label is the Great Seal; and the Grant of the Subsidy by the Clergy in Convocation is also authenticated by the Seal of the Archbishop of Canterbury, and the Attestation of a Notary Public. The Acts are in separate Rolls or Sheets of Parchment, but are united by Means of the Commission and the Label thereto. They are written very badly, except that for the Subsidy of the Clergy, and have many Erasures, Interlineations, and Riders. On the Roll of this Session in Chancery, which appears to have been made up with great Care and Accuracy, the Commission is entered at length, and the Acts are very fairly engrossed. The Roll is signed *H. Elsynge*; but without any Words or Form of Certificate.

[1] Stat. 33 Hen. VIII. c. 21. See ante, pa. lxxiv, note 3.

Anno 3 Car. I.—In the Parliament Office are preserved 27 separate Acts of this Session, the Titles of which are entered in the Calendar of that Year: Of the Roll of this Session in Chancery a Minute Description is here given; this being the latest Instance in which the ancient Form of the Parliament Roll has been preserved. 3 Car. I.

The Roll is thus indorsed:

Rotulus Parliamenti de Anno Tercio Caroli Regis.

The following is an Abstract of the Contents of the Roll.

" Rotulus Parliamenti tenť apud Westm̃ die Lune decimo septimo die Marcii Anno regni serenissimi Dñi nr̃i Caroli Dei gr̃a Anglie Scotie Francie & Hibn̄ Regis fidei defensoris &c. ꝑcio.

" Die Lune decimo septimo die Marcii Dñs nr̃ Rex & Dñi Spũales & temporales, robis suis Parliamentaribꝫ induti in Camꝛa Parliamentari se congregaverunt, et Militibꝫ Civibꝫ & Burgensibꝫ de Domo Cõi ibidem assemblať, ip̃e Dñis nr̃ Rex Solio suo regali sedens, causas Sũmonic̃ois hujus Parliamenti narrare incepit ꝟbis sequentibꝫ. videlt.

" My Lordꝭ and Gentlemen [*&c. reciting the King's Speech in English verbatim: In the Entry on the Roll of* 1 *Car. I. the King's Speech is translated into Latin.*]

" Quibus dc̃is Thomas Coventry Miles Dñs Custos magni Sigilł Angł ex mandato dc̃i dñi nr̃i Regis causas Sũmonic̃ois ꝓdc̃e ꝑlixiore oracione dilatavit, sub forma sequen̄; videlt.

" My Lordꝭ and you the Knightꝭ, &c.

" Oracione dc̃a finita Dñs nr̃ Rex ut om̃ibꝫ se conqueri volentibꝫ justicia posset celerius adhiberi nõia Receptoꝝ & Triatoꝝ petic̃onū in Parliamento ꝓdc̃o exhibendaꝝ legi ꝓcepit; videlt."

[*Then follow the Names, &c. of Receivers and Triers of Petitions; and the Time appointed for receiving Petitions.*]

" Et postea die Mercurii decimo nono die Marcii ꝓdicť, ip̃i de Domo Cõi coram dño nr̃o Rege in ꝑsencia Dñoꝝ sp̃ualiū & temporaliū assemblať Joh̃em Finche Militem Prolocutorem suū etcm ꝑsentaverunt.

" Qui quidem Joh̃es humiliť a dño Rege se excusari petiit.

" Dñs vero Custos magni Sigilli Angł ex parte Dñi nr̃i Regis elecc̃oem Cõmuniū & cõmendavit & approbavit; ideoq, ip̃m Joh̃em inde excusari noluit. Quamobrem Prolocutor ꝓdc̃us Oracione eleganti ꝓhabita in conclusione ejusdem a dño nr̃o Rege petiit Qđ Dñs Cõmuniū antiquis suis privilegiis gaudeant, ut ip̃i & famuli sui tempore Parliamenti im̃unes sint et in ꝑsonis et in bonis & catallis suis ab om̃i molestac̃oe arrestaꝝ, ut oracionis lib̃tate suaꝝ tempore consultac̃onū fruant' utq, lib̃tatem h̃eant ad majestatem suam accedendi quavis urgente necessitate. Deniq, ut benigno sensu om̃es acc̃ones oracionesq, sue a Regia sua Majestate accipiant'. Ac ꝑ gen̄ali & lib̃a pardonac̃oe ꝑ seip̃o.

" Finita Prolocutoris Oracione ꝓdc̃a ad singulas partes illius Oracionis, ex mandato Regis, singulariť respondebat Dñs magni Sigilli Angł Custos Om̃esq, suas Petic̃oes a dño nr̃o Rege concessas fore juxta antiquos usus eoꝝdem privilegioꝝ significabat."

[*The Fourth Membrane of the Roll, not being fully occupied with this Entry, is filled up with Cross Lines: after which, on the succeeding Membranes are the following Entries.*]

" Memorandum qđ Dñi Sp̃uales & temporales, et ipsi de Domo cõi in hoc ꝑsenti Parliamento congregati sepius inť se consuluerunt de quadam Petic̃oe de Rc̃o Dño Regi exhibenda. Que quidem Peticio die Mercurii vicesimo octavo die Maii, ꝑ ip̃os Dños & Cõmunes dc̃o Dño Regi exhibita fuit: Eedemq, Petic̃oi Dñs nr̃ Rex regale suū responsum in pleno Parliamento dedit die Sabbi, septimo die Junii ꝑx sequen̄. Cujus quidem Petic̃ois & respons̄ tenor sequit' in hec ꝟba; videlt:

" The Peticion exhibited to his Majestie by the Lordꝭ Spirituall and Temporall and Com̃ons in this ꝑsent Parliament assembled conc̄ning divers Rightꝭ and Liberties of the Subject: [With the Kingꝭ Majesties Royall Aunswere thereunto in full Parliament.]

" To the Kingꝭ most Excellent Majestie.

" Humbly, &c. [*The Petition of Right is set forth verbatim as it appears in the Original Petition preserved at the Parliament Office No.* 2. *in the Bundle of this Year; with the above Title indorsed thereon; the Words in Brackets being there written in a different Ink and Hand-writing from the former Part of the Title. In all printed Editions this is placed as the first Act or Chapter of the Year, though the next Chapter is numbered Chapter* I. *in the earliest Editions; and in the modern Editions*—I. (II.)]

" Qua quidem Petic̃oe lc̃a & plenius intellc̃a ꝑ dc̃m Dñm Regem talit̃ est responsum in pleno Parliamento videlt.

" Soit droit fait come est desire."

[*This Answer is written, on the Front, at the Top of the Original Petition preserved in the Parliament Office.*[1]]

[1] For the Proceedings in Parliament respecting the obtaining of this Answer, the settling of the Title of the Petition, the inrolling of the Petition and Answer on the Roll of Parliament, &c. and the printing the same among the Statutes, See Lords' Journals, vol. iii. pages 835, 843, 850, 862, 863, 867, 868, 879; June 2, 7, 12, 18, 19, & 20: A.D. 1627 Commons' Journals, vol. i. pa. 908, 910, 911, 915, 916, 919; June 2, 3, 6, 7, 10, 12, 18, 20 & 26. See also, ante Appendix B. pa. lvij, and the Note there.

" Die Jovis vicesimo sexto die Junii Dño nr̃o Rege Solio suo regali sedente, & Dñis sp̃ualib⁹ & temporalib⁹ p̂sentib⁹ ip̃i Cõmunes in Cam̂a Parliamentar̃ admissi erant, ubi Prolocutor p̂dc̃us (orac̃õe p̂posita) billam quinq, integro⁹ subsidio⁹ p temporalitat̃ concess̃ in se formam Actus contineñ dc̃o dño Regi p̂sentavit : Que sequit' in hec verba :

" An Acte for the graunt of five entire Subsidies graunted by the Temporaltie."

2. " Most Gracious Sovereigne, &c.

[*The Act set forth verbatim, as in the Original Act, No.* 8. *in the Parliament Office : Chapter* VII. (VIII.) *of the Public Acts in the Printed Statutes.*]

B°. " Qua quidem billa l̃ca & plenius intell̃ca p dc̃m Dñm Regem de avisamento & assensu Dño⁹ sp̃ualiũ & temporaliũ ac Coïtatis in dc̃o Parliamento assemblat̃, ac authoritate ejusdem talit̃ est responsum videlt : Le Roy remerciaunt toutes ses bones Subiect̃, accepte leur benevolence, et ainsi le veult.

" Item quedam alia billa de confirmac̃õe Subsidio⁹ concess̃ p Clerum exhibita fuit Dño Regi, cujus tenor sequit' in hec v̂ba videlt :

An Act for the confirmacion of the Subsidies graunted by the Clergie.

3. " Where the Prelates," &c.

[*The Act set forth verbatim, as in the Original Act, No.* 9. *in the Parliament Office : Chapter* VI. (VII.) *of the Public Acts printed.*]

B°. " Qua quidem billa l̃ca & plenius intell̃ca p dc̃m Dñm Regem talit̃ est responsum, videlt : Le Roy remerciant ses Prelat̃ accepte leur benevolence et ainsi le veult."

" Item quedam alia billa in se formam Actus continens, dc̃o dño Regi exhibita fuit, que sequit' in hec v̂ba, videlt :

An Act for the further reformacion of sondry abuses comitted on the Lord̃ day cõmonlie called Sonday.

4. " Forasmuch," &c.

[*The Act set forth verbatim as in the Original Act, No.* 1. *in the Parliament Office : Chapter* I. (II.) *of the Public Acts printed.*]

" Qua quidem billa l̃ca & plenius intell̃ca p Dñm nr̃m Regem, de avisamento & assensu Dño⁹ sp̃ualiũ & temporaliũ, ac Cõmuniũ, in dc̃o Parliamento assemblat̃, ac authoritate ejusdem talit̃ est responsum, videlt :

B°. " Le Roy le veult."

[*The like Forms of Introduction and Conclusion precede and follow the Entry of the ensuing Acts on the Roll.*]

An Act to restraine the passing or sending of any to be popishly bred beyond the Seas.

5. " Forasmuch," &c.

[*No.* 4. *of the Acts in the Parliament Office* : *Chapter* II. (III.) *of the Public Acts printed.*]

An Act for the better suppressing of unlicensed Alehouse keepers.

6. " Whereas," &c.

[*No.* 3. *of the Acts in the Parliament Office : Chapter* III. (IV.) *of the Public Acts printed.*]

An Act for contynuance and repeale of divers Statut̃.

7. " Be it enacted," &c.

[*No.* 7. *of the Acts in the Parliament Office : Chapter* IV. (V.) *of the Public Acts printed.*]

" Item quedam peticio in se formam Actus continens Dño nr̃o Regi exhibita fuit, cujus tenor sequit' in hec v̂ba videlt :

An Act for the establishing of the Estates of the Tenant̃ of Bromfield and Yale in the Countie of Denbigh, and of the tenures, rent̃ and servic̃ thereupon reserved according to a late Composition made for the same with the King̃ most excellent Majestie then Prince of Wales.

8. " In most humble manner doe beseech," &c.

[*No.* 6. *of the Acts in the Parliament Office : Chapter* V. (VI.) *of the Public Acts printed.*]

" Qua quidem Petic̃õe l̃ca & plenius intell̃ca p dc̃m Dñm Regem de avisamento & assensu Dño⁹ sp̃ualiũ & temporaliũ ac Coïtatis in dc̃o Parliamento assemblat̃ ac authoritate ejusdem talit̃ est responsum videlt. Soit fait come il est desire."

" Item quedam Petic̃ões privatas personas conc̃nentes in se formas Actus contineñ exhibite fuerunt p̂dc̃o Dño Regi in Parliamento p̂dc̃o. Qua⁹ tituli subscribunt' videlt :

[*Then follow the Titles of Nineteen Acts, numbered progressively* 1 *to* 19 ; *from which the List of Private Acts in the modern Printed Editions appears to have been copied* ; *Chapter* 1. *in that List answering to No.* 1. *of the Titles on the Roll, &c. The Numbers indorsed on the Originals of these several Acts, and entered in the Calendar at the Parliament Office, are different from those on the Roll in Chancery. In the Bundle of this Year also, besides the several Acts, there is an Instrument indorsed* ' *A Declaration of the Commons against Dr. Mainwaring,*' *which is referred to in the Calendar by a Duplicate No.* 14.]

" Quibus l̃cis & plenius intell̃cis p Dñm Regem de avisamento & assensu Dño⁹ sp̃ualiũ & temporaliũ ac Coïtatis in dc̃o Parliamento existeñ, ac authoritate ejusdem, talit̃ ut sequit' eisdem singillatim est responsum videlt :

" Soit fait come il est desire."

" Et postea p̂dc̃o vicesimo sexto die Junii dc̃us Dñs Custos magni sigilli ex mandato Dñi Regis Parliamentum p̂dc̃m usq, in vicesimũ diem Octobr̃ p̃x futur̃ progavit.

" *Continet membrana* 34. *H. Elsynge.*"

APPENDIX. G.

MATTERS RELATING TO COLLECTIONS OF STATUTES,

PUBLISHED BY ROYAL OR PARLIAMENTARY AUTHORITY.

I. In SCOTLAND. II. In IRELAND.

I. 1. THE SCOTTISH ACTS *published by* HENRISON, 1566.

The following is a Copy of the Title of this Volume:

THE ACTIS AND CONSTITUTIOUNIS *of the Realme of Scotland maid in Parliamentis haldin be the rycht excellent, hie and mychtie Princeis Kingis James the First, Secund, Thrid, Feird, Fyft, and in tyme of Marie now Quene of Scottis, viseit, correctit, and extractit furth of the Registers be the Lordis Depute be speciall commissioun thairto. Anno Do.* 1566.

THE KING AND QUEENIS GRACE PRIVILEGE[1]

Grantit for Imprenting of thair Lawis and Actis of Parliamentis.

" HENRIE AND MARIE be the grace of God King and Quene of Scottis to all and sindrie our leigis and subiectis, quhome it effeiris quhais knawlege thir our letters sall cum greiting. WIT ZEE VS to haue geuin, grantit, and be thir our letters geuis and grantis to our weilbelouit Clerk Edward Henrysoun Doctour in the Lawis &c. and his assignayis allarnelie, full powar and licence to Imprent or cause Imprent and sell the Lawis and Actis of Parliament of our Realme, That is to say, the bukis of Law callit Regiam Maiestatem and the remanent auld Lawis and actis of Parliament, consequentlie maid be progres of tyme unto the date of thir presentis, viseit, sychtit and correctit be the Lordis Commissionaris speciallie depute to the said viseting, sychting and correcting thairof, and that for the space of ten zeiris nixt to cum. And dischargeis and reuokis all vther privilege, and licence grantit of befoir to ony vthers for Imprenting of our saidis Lawis and Actis: ¶ Quhairfoir we charge straitlie and commandis zow all and sindrie our liegis and subiectis forisaidis, That nane of zow tak vpone hand to Imprent or cause Imprent the saidis Lawis and actis in this our Realme or outhwith the samin or to sell the same within this our Realme, vnder the pane of escheting of the saidis bukis to our said weilbelouit Clerk, and als vnder the pane of paying to him the sowme of twa hundreth pundis money of our Realme, als oft as this our pruilege and licence beis contrauenit and brokin be zow or ony of zow, during the said space of ten zeiris. Geuin vnder our priuie Seill, At Edinburgh the First day of Junii, the zeir of God ane thousand fyue hūdreth thre scoir sax zeiris, and of our Regnis the First, and twentie foure zeirs."

[1] In some Copies the Privilege is in the Queen's Name alone; and for effecting this Alteration the Leaf has been reprinted. The Record of the Writ, in the Register of the Privy Seal, runs in the joint Names of " HENRIE & MARIE."

OVR SOVERANE LADYIS COMMISSIOVN,

For viseing correcting and Imprenting of the Lawis and Actis of Parliamentis.

" MARIE Be the grace of God Quene of Scottis, to all our liegis and subditis, quhais knawlege thir present letters shall cum, greting, WIT ZE VS mouit of greit zeill of Justice to retene the haill subiectis within this our Realme & dominiounis in gude ordoure, and obedience toward vs, and mutuall societie amang thame selfis, according to the gude Lawis, constitutiounis, ordinances and actis maid be vs and our maist Nobill progenitouris of gude memorie, considdering that be the misknawlege and Ignorance of the same Lawis, all misordour, inobedience, tumult, and troubling of the common weil proceidis: And because sindrie Lawis, constitutiounis and ordinances hes been maid be diuers our predecessouris, that certane leirnit, wyse and expert men, quhilks best knawis the Lawis sould be chosin to see and examinat the bukis of the Law, and set thame furth to the knawlege of our subiectis: ¶ Thairfoir we for the weill and instructioun of our saidis liegis in the Lawis of this our Realme, according to our zeill of Justice and intentioun oft tymes had of befoir, with auise of the Lordis of our secreit counsall, [to *] mak, constitute, and ordand be thir presentis our rycht traist cousingis and counsalouris George Erle of Huntlie Lord Gordoun and Badzenach our Chancellar, Archibald Erle of Ergyle Lord Campbell and Lorne, James Erle of Murray Lord Abirnethy, James Erle Bothuile Lord Hailis Chreichtoun and Liddisdaill, Johne Erle of Athole, Lord Baluany, William Erle Marchell, Lord Keith, Johne Erle of Mar Lord Erskin, Reuerend fathers in God Johne Bischop of Ros, Commendatour of our Abbay of Lundoris, Alexander Bischop of Gallaway, Commendatour of Inchaffray, Adame Bischop of Orknay, Schir Richard Maitland of Lethingtoun Knycht, keipar of our priuie Seill, Schir James Balfour of Pettindreich Knycht, Clerk of our Register, Schir Johne Bellenden of Auchinnoull Knycht, Clerk of our Justiciare, Maister Williame Baillie Lord Prouand, Maister John Spens of Condie, and Robert Creichtoun of Eliok our Aduocatis, Maister Dauid Chalmer, Chancellar of Ros, and Maister Edward Henryson doctour in the Lawis, our Commissaris in that part: Geuand, grantand and cõmittand to thame, or any sax of thame cõiunctlie (as persounis of quhais science and experience in the Lawis of our Realme, we specialle dois confide, and is assurit of thair industrie and trew diligence in executing and perfyting of our cõmand and chargeis) full powar and autoritie, expresse command, and charge in our name and behalf to visie, sycht and correct the Lawis of this our Realme maid be vs, and our maist Nobill progenitouris, be the auise of the thre Estatis in Parliament haldin be thame, beginnand at the buikis of the Law callit Regiam Maiestatem and Quoniam Attachiamenta. And swa consequentlie following be progres of tyme unto the dait of this our commission. Swa that na vthers bot the saidis Lawis sychtit, mendit and correctit be our saidis traist counsalouris and Commissaris, or ony sax of thame coniunctlie, salbe our priuilege Imprentit, or haue place, faith or autoritie, to be allegeit and reheirsit afoir ony our Jugeis and Justices quhatsumeuer in Jugement and outwith. And generallie all and sindrie vther thingis to do, exerce and use, that in the premissis or anent the samin salbe necessare, or ony manner of way opportune. Firm, and stabill, haldand and for to hald, all and quhatsumeuer our said counsalouris and Commissaris in that part, or ony sax of thame coniunctlie in the premissis rychteouslie leidis to be done. Attour we promit to cause this our present Commissioun, with all and quhatsumeuer thingis, quhilkis our saidis counsalouris and Commissaris be vertew heirof sall happen to do, performe, accomplische, and determinat, be ratifeit, appreuit, and perpetuallie confirmit, be the avise of our thre Estatis in our nixt Parliament. ¶ In witnes of the quhilk thing, we have causit our greit Seill be put to thir presentis. At Edinburgh the First day of Maij the zeir of God ane thousand fyue hundreth thre scoir sax zeiris, and of our Regne the twentie foure zeir.

* *Query*, do.

¶ THE PREFACE TO THE REDAR.

" IT is maist certane, that na thing is swa eirnistlie to be socht and straitlie keipit, as the knawlege of the Lawis and thair authoritie. Because the Laws rychtlie disponis, and ordouris to the best baith godlie and manlie effairis, and banisis thairout all iniquitie. Thay ar the gift of God, the statute and decreit of wyse men, the amending and rychting of forthoct and suddane faultis, the common promeis, band and obligatioun of the Realme and of ilk Member thairof to uther, efter the quhilk it appertenis all the saidis members to leid thair lyfe gif thay will not onlie leif, bot als manerlie, weill and godlie leif. And lyke as ilk man aucht and sould seik the understanding of the Lawis that they may cast thame with all thair intent to obserue, and keip the samin: Rychtswa it is the office of the Souerane powar and of the Magistratis and Officiaris constitute under the samin, to cause publis and mak patent the Lawis, to the effect foirsaid, as we see the Israelitis, Athenienis, the Romanis, and uthers pepill and Impyris lauchfullie reulit, and thairby lang lestand, and continewand in prosperitie, had thair Statutis and Ordinancis ingraifit, or writtin in Tabillis, and fixit in the maist publique and patent placis, or inrollit, bukit, and solempnitlie red to all the pepill. And als all weil maid constitutioun contenis in the self ane prouisioun, that it be proclamit and publist. Misknawlege is ane maner and kynde of excusatioun to mony men of thair fault, albeit the Law sayis, thair is, nor sould be na excusatioun to the man pretendand Ignorance of the Law. Quhairfoir? Because the Law is understand to be notifeit, and publist to all Man, and thay sould seik to the knawlege thairof. Thairfoir our Souerane Lady seing the Lawis and Actis of hir maist Nobill progentouris to be for the maist part unknawin bot to the Jugeis, and men of Law, and zit the samin to be throuch Ignorance of the copistis confusit and full of errouris, hes maist commendablie and conuenientlie to hir Royall estate and Maiestie, and maist graciouslie for the weil of her subiectis, geuin commissioun to certane Nobill and leirnit Lordis, hir traist counsalouris, to sycht, considder, correct, and cause publis in prent the haill body of the Lawis of this hir Realme. In the undertaking of the quhilk charge and work the saidis Lordis

thocht it maist expedient for the present to begin at the mending and furthsetting of the actis of Parliamentis haldin be kingis James the First, Secund, Thrid, Feird, Fyft, and be hir Maiesties powar hauand and hir self, and thairefter in all gudlie diligence to reik and extend thair cure to the emendatioun and publicatioun of the precedent and mair ancient Lawis, the quhilkis as they ar mair difficill to be decernit on, swa thay requyre langar tyme to thair dew correctioun. And albeit nane of all the Lordis Commissaris can be praisit aneuch, and proportionallie to thair worthynes for the trauell and diligence taken be thame in this present editioun and outset, zit in speciall with all mennis favouris, two of the saidis Lordis ar to be remembrit and commendit: Thay are to say, ane Reuerend Father in God, Johne Bischop of Ros Lord of our Soueranis Secreit counsall and of hir College of Justice, for his Suggestioun to our Souerane of this notabill purpose, eirnistfull performing of the said Commission and cure in conuening of my Lordis Commissaris his colligis, and liberalitie in the furthsetting of this Imprenting: And Schir James Balfour of Pettindreich, Knycht Clerk of the Register &c. For his sinceir afald and glaid concurrance to perfyte this wark, and exhibitioun of the originallis out of the Register and making of thame patent at all tymes on na wayis regardand his awin particulare outher proffeit or gloir bot onlie the commoun weill of the Realme. It restis to exhort all our Soueraine Ladyis liegis to diligentlie mark and consider thair awin dewtie and office expressit in this Law buke, and to expresse and manifest the samin be leding of thair lyfe conforme thairto in word and deid, Serchand heirout doctrine of treuth and obedience to the princeis, their Magistraitis and Officiaris of Justice: Off honest lyfe, of abstinence fra iniuring and hurting ane a uther: Off geuing to ilk persoun his awin: Off lauchfull conquesing, keiping, and annalying, of landis, gudis, and geir: And als to thank our Souerane of hir directioun and Commissioun, and the Lordis for the trauell takin be thame thairin: Fynallie to accept and embrace this haill laubour with sic beneuolence and gentill hart, that occasion be geuin efterwart, that the rest of the auld Lawis of Scotland be brocht to lycht, and put in the liegis handis to be commonlie red and understand with greit frute and plesure to the honour of God trew obedience to our Soueranis, and to the weill particular of ilk persoun, and commoun of the haill Realme. ¶ EDVARD HENRISON."

CERTIFICATES OF AUTHENTICITY.

In the first One hundred and ten Folios of this Volume of the Black Acts, are contained the Acts of King James I. II. III. and IV. At the End of Folio cx, *b.* is the following Certificate:

" Thir ar the trew copyis of the Actis of Parliamentis made be our Souerane Lordis, Kingis James the First, Secund, Thrid, and Feird, with auise of the thre Estatis of the Realme: Reviseit & correctit be the Lordis Commissaris depute thairto: And extractit furth of the bukis of Parliament be me Schir James Balfour of Pettindreich Knycht, Clerk of our Souerene Lord and Ladyis Regestrie counsall and Rollis under my signe and subscriptioun manuall. *Jacobus Balfour.*"

[A Fac-simile.]

At the End of the Third Parliament of King Jac. V. (fo. cxvij, *b.* of the Volume) is the following Note:

" Emendata et Descripta ut est supradictum.

Jacobus Balfour."

[A Fac-simile.]

In fo. cxlij, *b.* at the Conclusion of the Acts of King James V. is an Act, intituled, " The Kingis Grace ordinance for imprentin of his Actis of Parliament." (chap. cviij,[1]) The Copy of this Act is here given with the Note and Certificate which are added to it.

" The Kingis grace ordinance for imprentin of his Actis of Parliament. Ca. cviij.

" Heir[2] our Souerane Lord hes ordanit that the Actis of Parliament made be his hienes be publist out throw all his Realme. And, that all Schireffis, Stewartis, Baillies, Prouestis, and Baillies of Burrowis and uthers his liegis may haue the copyis thairof and pretend na Ignorance throw misknawing of the samin, Hes ordanit his Clerk of registre, to mak an autentyk extract and copy of all the saidis actis sa far as concernis the common weill under his subscriptioun manuall to be Imprentit, be quhat Prenter it sall pleis the said Clerk of Registre to cheis. And it sall not be lesum to ony uther Prenter to imprent the samin within this Realme or without the samin, or bring hame to be sauld, for the space of vj. zeiris nixt to cum under the pane of confiscatioun of the samin. Prowyding alwayis that the said Prenter to be chosin be the said Clerk of Registre, as said is, have our said Souerane Lordis speciall Licence thairto."

" Thomas Dauidson than chosin Prenter, first Imprentit thir the viij. day of Februar the zeir of God ane thousand fyue hundreth xli. zeiris.

" Thir ar the trew copyis of the actis of Parliament maid be our Souerane Lord King James the Fyft. Extractit furth of the bukis of Parliament at command of the Act maid thairupone* be Maister James Foulis of Colintowne, Clerk of our Souerane Lordis Registre counsall and Rollis, under his signe and subscriptioun manuall.

Jacobus Foulis."

* *i. e.* the preceding Act.

[1] Under this Ordinance the first printed Publication of the Scottish Acts of Parliament was made in 1541.

[2] An Error of the Press for *Item.*

In fo. clxix, at the End of the Acts of Queen Mary made in 1555, is the following Certificate, which appears to apply to all the Acts of that Queen, from the beginning of her Reign to that Time.

" Thir ar the trew copyis of the Actis of Parliamentis of our Souerane Lady Quene Marie haldin be ane Nobill and Mychtie Prince James Duke of Chastelheraut Lord Hammiltoun and Governour of the Realme. And be ane mychtie Princes Marie Quene Dowrear, mother to our Souerane Lady and Regent of the Realme, viseit sychtit and correctit be the Lordis Commissionaris depute thairto; and extractit furth of the bukis of Parliament be me Schir James Balfour of Pettindreich Knycht, Clerk of our Souerane Ladyis Register Counsall and Rollis under my Signe and subscriptioun manuall.

Jacobus Balfour."
[A Fac-simile.]

In fo. clxxx, *b.* at the End of the Statute made by Queen Mary in her Parliament 1563, containing Twenty-five Chapters or Acts, is the following Certificate:

" Thir xxv actis nixt precedant war in the zeir of God ane thousand fyue hundreth lxv zeiris extractit furth of the buikis of Parliament at command of our Souerane Lady be Maister James Makgill of Rankelour-nether Clerk of our said Souerane Ladyis Registre counsall and Rollis under his Signe and Subscriptioun manuall.

Jacobus Mackgill."

At the End of the Acts of the First Parliament of King James VI. (fo. xxiv. of that Collection) is the following Certificate:

" Extractum de libro Actorum Parliamenti per me Magistrum Jacobum Makgill de Rankelour-nether Clericum Rotulorum Registri ac Consilii, S.D.N. Regis, sub meis signo et subscriptione manualibus.

Jacobus Makgill."
[A Fac-simile.]

The like Certificate exactly is also at the End of the Second Session of Jac. VI. and the like (with the Variation of " libris " for " libro") at the End of the Third and Fourth Sessions respectively. See fo. vi, *b.* xiij, *b.* and xvj. of the Collections of the Acts of those Parliaments.

2. PARLIAMENTARY COMMISSION:

From the Records of the Parliament, holden at Edinburgh 5th June 1592.

" FOR VISTTING and caussing of the Lawes and Actis of Parliament to be prented."

" OUR SOUERANE LORD with aduise of his Estaitis Ordanis and commandis his traist Cousing ande counsallour Johnne lorde of thirlestane his hienes chancellair be him selff assistit with Mr. Johnne Lindsay persoun of Menmure, Alexander hay of eister kennet clerk of register, maister Johnne Skene aduocat, Mr. George zoung archdeacone of Sanctandrois, Mr. Thomas hammiltown appierand of preistfeld, Maister Williame Scott directour of the chancellarie, and Maister Johnne hay sone and depute to the said Clerk of Register, to visite the lawes and actis maid in this present parliament, and all vthiris municipall lawes and Actis of Parliament bygane, quhairof thair is Registaris or autentik monumentis extant; And to considder quhat lawis or Actis necesserlie wald be knawin to the Subiectis, qlkis suld be kepit ande obeyit be thame ande to mak thame Inexcusable of Ignorance To caus the samen lawys and actis be copyt and autentik copies Subscryvit to be deliuerit to his hienes prentar, Togidder or seuerallie, as the said Lord Chancellair and personis Joneyd to assist him sall think expedient als oft and in sic nowmer as yai sall think gude. That the same may cum probablie to the knawlege of all the Subiectis sa sone as is possible, And gevis and grantis full power to the said Chancellare and vtheris appointit to ye effect foirsaide be thir presentis And that the copie and directioun subscryvit be the said lorde Chancellar and Clerk of Register with ony vthir tua of ye personis abonewritten appointit to assist him salbe a sufficient warrant to ye said Prentar to the effect abone specifiet."

3. ACT OF PARLIAMENT:

From the Records of the Parliament, holden at Edinburgh 11th August 1607.

" ACT IN FAUOURIS of the Clerk of Register; Anent the prenting of the Book callit Regiam maiestatem."

" FORSAMEKILL as be diuerse actis of parliament It wes Statute and Ordanit that all oure Souerane Lordis liegis of this his hienes Realme of Scotland Live and be governit vnder the lawes and Statutis of this Realme alanerlie,

and be na vther lawes, And seing the auld lawes of this realme befoir ye dayes of King James the first wer almaist perisheit and not extant, And sua Money of thame as wer extant wer writtin in paperis and wer altogidder vncorrect; Thairfoir the estaittis of Parliament at diuerse tymes committit thair full power to sindrie persones to advyse treat and comoun anent the Reductioun of the saidis lawes Callit Regiam maiestatem and all vtheris actis statutis and bookis to be put in ane volume, and to be authorizit as the saidis Actis at mair lenth proportis And seing Sir Johne Skene of Curryhill kny^t^ Clerk of Register conforme to the saidis Actis and Ordinances at Command of oure said Souerane lord and estaittis of parliament hes be his great travellis painis and expenss visitit correckit mendit and reduceit in ane volum the saidis auld lawes of this Realm befoir the dayes of King James the first The qlk volum contenand Regiam Maiestatem and vtheris Lawes the said Clerk of Register hes presentit befoir the haill estaittis of this present parliament whilk they haue Considerit And hes Allowit thairof As memorable and worthie Actis to be prentit, wherewith and be the Actis of parliament maid sensyne, the haill legis of this Realme sall be Judgeit reulit and governit; Thairfoir the haill estaitis of this present parliament statutis and ordinis the foirsaid volum and book contenand the saidis auld lawes of this Realme now writtin correckit and put in forme be the said Clerk of Register to be prentit authentiklie for the weill of the haill Judges persones and Subiectis of this Realme And becaus yair will be great expensse warit in prenting thereof by and attour the great paine travellis and expensse maid thairvpoun alreadie be the said Clerk of Register, for defraying of the whilks expenss the saidis Estaittis of this present parliament hes allowit and grantit to the said Clerk of Register the Sowme of vsuale money of this Realme to be payit be the Sherreffis baillies Stewartis barones and vtheris Judges of this Realme alsweill of Royaltie as regalitie and be the prelattis erlis lordis and burrowes of this realme And to the effect that the foirsaid Sowme maybe contribute amongis the foirsaidis personnes and the mair thankfullie payit to the said Clerk of Register for the greater Expeditioun of the prenting of the foirsaidis auld Lawes and Statutis Hes gevin and grantit full Power and Commissioun To Alexander Erle of Dunfermeling Chancellar of this Realm, Mark erle of Louthiane, Patrik erle of Kinghorne, James lord of Balmerinoch, secretar and president of the College of Justice, Mr. Alexander dowglas Bischop of Murray, Mr. Alexander forbes bischop of cathnes, Mr. Williame Melvill commendatar of Toungland, Johne lord halyrudhous, Sr James Scrymgeour of dudop, Sr Johne cokburne of ormestoun, and the lard of dunypace, george hereott goldsmyth burges of Edinburgh, george bruce burges of Culross, and Johne lockhart burges of air, or to ony fyve of thame To sett doun ane stent roll amongis the foirsaidis Persones wha suld pay the foirsaid Sowme To the said Clerk of Register in maner foirsaid And to divyd the samin Sowmes amongis thame As they sall think expedient And whateuir the saidis Persones or ony fyve of thame does in the Premisses The saidis estaittis now as than and than as now declars To be als Lauchfull and sufficient as gif the samein had bene concludit statute and ordanit in this present parliament And that lettres be direct vpone ane simple charge of sex dayes be delyuerance of the lordis of sessioun for payment of the foirsaidis sowmes And the foirsaidis Persones sall sett doun the samin be thair stent And that na Suspensioun be grantit in favoris of whatsumeuir persone or persones except be the Lordis chancellar president collectour and aduocatt or ony twa of thame."

II. 1. EXTRACT *from the Preface to an Edition of the* IRISH STATUTES *printed at London by R. Tottell,* 1572; *with the following Title:*

" IN THIS VOLUME are contained all the Statutes from the tenthe yere of King Henrie the Sixt, to the xiiii. yere of our moste gracious and soueraygne lady Queene Elysabeth; made and established in her Hignes Realme of Ireland,"

The Preface begins with Reflections on the State of Ireland, and the Necessity of Laws to restrain Licentiousness and prevent Ignorance, &c.

" Which things the Right Honorable Sr Henry Sidney, Knight of the Honorable Order, Lord President of Wales & late Lord Deputie of the said Realm of Ireland, well perceiving & finding that the Remedying of this Mischief, which is the cause and worker of al the rest, would take away the Effect thereof, caused all the Justices of both the Benches with the Chief Baron of the Escheker & the Master of the Rolles of the said Launde to confer together for the Coppying out and examining of all such Statutes as then were of Record & not published, which at his comandement they did, and delivered the same perfectly written & examined with all their hands subscribed to every one of them: And then he (ever mindful to further the good state of the said Commonwelth) brought those Statutes over into England, and conferred with the Right Honorable Sr W. Cecill Knight of the Order of the Garter, Lorde Burligh, & Lorde Hyghe Treasorer of Englande for the imprinting of them, with whose advyse & assent they were committed to the printe & now for thy benefite [the Reader's] finished & set forth."

2. EXTRACT *from the Preface to Sir Richard Bolton's Edition of the* IRISH STATUTES, *printed in Dublin* 1621; *with the following Title:*

" THE STATUTES OF IRELAND; beginning the Third Year of King Edward the Second, and continuing until the Parliament begun in the eleventh Year of the Reign of our most gratious Sovereign Lord King James, and ended in the thirteenth Year of his Reign of England, France, and Ireland. Newly perused and examined with the Parliament Rolls: and divers Statutes imprinted in this Book, which were not formerly printed in the Old Book."

The Preface is addressed to " Sr Oliver Sr John Knight Lord Deputie General of Ireland:" After some introductory Sentences respecting the Necessity of Laws and Statutes in general, it proceeds thus:

" And now, Right Honourable, considering that many good Statute Lawes of force in this kingdome were neuer hitherto imprinted, and (upon search) finding that, for want of imprinting, many others are perished and lost, in those troublesom and miserable times of rebellion, which have beene in this kingdome, and finding also by experience that the printed Books of those Statutes which were formerly printed are so few that there be not sufficient to furnish only the practisers and Judges of the Law; so as both the cõmon people and some of the Professors of the Law, yea the Judges themselves, did want the ordinarie means to attaine to the knowledge of the Statute Lawes, and were constrained verie often to have recourse to the Parliament Rolls; and finding also by daily experiences that Justices of Peace, Sheriffs, Constables, and other Officers fall short in the execution of their Offices to the great Detriment of the Common wealth, which defects I suppose to be chiefly occasioned by want of knowledge of the Statutes: &c. &c. - - - I resolued with my selfe (for the generall good of this Kingdome) to peruse all the Parliament Rolls which are extant, and to extract out of them all such Statute Laws as were generall or concerned the general good of the Common wealth, which I did accordingly: And, after your Lordships perusall of them, the same were (by your Lordships direction) againe perused by the Chiefe Judges and Master of the Rolls & by them allowed & thought fit to be imprinted, together with so many of the Statutes formerly printed as were not by express Words repealed in the last Parliamẽt. Howbeit some few of those Statutes which were formerly printed are by the Alteration of Times growen out vse; and although the same be not in expresse Wordes repealed by any later Act, yet (in mine own opinion) many of those Statutes & especially those concerning Marchiors, and all Statutes that make markes of differences bewteen the English and Irish, as that of shaving the beard upon the upper lippe, and the distinctions betweene Irish Enemies and English Rebells, and of persons amesnable and not amesnable to the Lawe, are by implication & good construction of the Statutes of 33 Hen.VIII. 3 & 4 Ph. & Ma. & 11 Eliz. repealed as absolutely as if the same had been by plaine and expresse words. For now Irish are no Enemies but have the absolute freedome of Subjects, and the full benefite of the lawes; and all Ireland is now devided into Counties, and the King's Writ doth now runne into all the parts thereof, so as now every Man is amesnable to the Law & may be punished for any Offence whatsoever by the ordinarie course of cõmon Justice; Yet neverthelesse the said Judges & Master of the Rolls thought fit, that those Statutes that had been formerly printed, and were not expressly repealed should be printed againe, and that for two reasons; the one lest peradventure any should unadvisedly taxe me of partialitie that matters of great moment were omitted, and matters of lesse consequence published; and the other was that although the said Statutes be out of use or determined at this day, yet the same may well serve for an historical use; whereby the Judicious Reader may partly discerne both the State of the Church and Common Wealth in those times."

3. *From the Journals of the* HOUSE *of* LORDS *in* IRELAND.

Die Martis, 20° Aprilis 1762°.

RESOLVED, That an humble Address be presented to his Excellency the Lord Lieutenant, to desire His Excellency will be pleased to give Directions, that the Statutes at Large of this Kingdom be forthwith printed and published under the Inspection of the Lord Chancellor and Judges; and that, as an Encouragement to the Printer, a Copy thereof be given to each Member of both Houses of Parliament.

Ordered, That the Lord Viscount Jocelyn do attend His Excellency the Lord Lieutenant with the said Address.

Die Martis, 27° Aprilis 1762°.

The Lord Viscount Jocelyn acquainted the House, That in Obedience to their Lordships' Order he had attended His Excellency the Lord Lieutenant with their Address of the 20th Instant; to which Address His Excellency was pleased to give this Answer: " I will not fail to give the proper Orders, that the Resolutions of the House of Lords may be carried into Effect."

4. ADDRESS *to the Reader, prefixed to the Edition of the* STATUTES OF IRELAND: *Published by Authority in* 1765.

AS THIS EDITION of the Acts, passed in the several Parliaments held in this Kingdom, may be considered as a Public Work, in part obtained at their Expence, and which could not have been executed without such Assistance; it may be proper to shew the Necessity of this Undertaking, from the present State of the Printed Statutes in Ireland; and also the Advantages proposed by what is now done, in attempting to supply former Defects, and to render this Impression useful and commodious to the Reader.

The Irish Statutes now in Print, consist of those collected by Sir Richard Bolton, in one Volume in Folio, printed in 1621, by the Society of Stationers, then Printers to His Majesty; reprinted by Benjamin Tooke, [Printer to His Majesty] in 1678, with the Addition of the subsequent Acts to the Session of the 17th and 18th of King Charles the Second inclusive: from which Time to the Revolution no Parliament was held in Ireland. To this Impression was annexed a thin and incompleat Index, and it has been since reprinted in 1723, without any Additions.

The several Acts which passed in the Reigns of King William and Queen Mary, and those of Queen Anne and the succeeding Kings, were printed by the King's Printers, at the Close of each respective Session, in different Volumes, of different Sizes, and in different Types, without Indexes or any Aid to find the Contents or even the Titles, but by inspecting the Volumes of the Sessions in which they passed; which Volumes were become too numerous for Use, and even those so dispersed, that at present compleat Sets are with Difficulty to be procured to answer the Purposes of Justice, especially at the Assizes held in the several Counties.

These Considerations, it is presumed, induced the House of Lords to address his Excellency the Earl of Hallifax, then Lord Lieutenant of Ireland, by their Resolutions of the 20th April 1762, to give Directions "That the Statutes at Large of this Kingdom be forthwith printed and published, under the Inspection of the Lord Chancellor and Judges; and that as an Encouragement to the Printer, a Copy thereof be given to each Member of both Houses of Parliament." In consequence whereof his Excellency, by his Order, dated the 27th of April 1762, directed Hugh Boulter Primrose Grierson, His Majesty's Printer General in this Kingdom, to print and publish the said Statutes at Large, under the Inspection of the Lord Chancellor and Judges; and to cause a Copy thereof to be given to each Member of both Houses of Parliament.

Which Order being signified to the Lord Chancellor and Judges, they were pleased to approve of a Specimen of the Paper, Size, and Type to be made use of on the occasion; and their Lordships were farther pleased to honour the Editor with their Appointment to carry their Directions into Execution.

The Acts as before printed by the King's Printers, having received the Sanction of the Courts of Justice as the Statute Law of Ireland, the Editor considered them as Authentic, and made them the Copy from which he printed, without Variation, save that where he, on reading, apprehended Errors of the Press, he had recourse occasionally to the Records now in the Office of the Rolls, and from thence rectified those Errors; the collating them at large being thought needless, and rather a matter of curiosity, which would have been attended with very great Expence.

The Statutes in this Collection are ranged in order of Time, including all whose Titles are mentioned in any of the former printed Statutes though not there printed at large, distinguishing, however, the Acts or Parts of Acts expired or repealed, by a smaller sized Type; except in some few Instances where Acts have been repealed in part, of which due Notice is given in the Margin.

The Acts whereof the Titles only were mentioned in the Statutes of former Impressions, have been copied at large for this Work, from the Original Records; some Instances there may be of Rolls, before the Reign of Queen Elizabeth (but not since) with the Titles of Acts of Parliament not before printed, which the Editor did not think himself authorized to insert as Part of the Statutes of Ireland; they never having received the Sanction of being printed by Authority, or even mentioned in any Statute so printed, nor authenticated by judicial Determinations.

The Editor was aware, that the inserting expired or repealed Acts at large, would increase the Bulk of this Collection; but it is hoped the Public will dispense with that Inconvenience, as they may afford light, and be useful for the construction of subsisting Laws; and will remain curious and authentic Documents in the Public History of this Kingdom.

It has been usual, especially of late Years, to insert in the same Act different matters not expressed in the Title of such Act; this has been the Case particularly in those intitled "Acts for Amendment of the Law"; which has rendered it difficult to find the several Clauses when wanted. To remedy such Inconvenience, the Editor has, besides the general Index, added, but in a different Character, to the Table of the Titles of those Acts, the different Matters therein contained.

Indexes are absolutely necessary to Works of this kind; the Editor has therefore endeavoured to make his general Index to this Collection useful and complete.

The Acts of Settlement and Explanation though relating to a great part of the Landed Property in Ireland, may be considered as a separate Code of Laws, and as such rather to be consulted on particular Occasions, than as Part of the general Statute Law. The Editor has therefore added a separate Index for the Reader, turning to the several Matters contained in those Acts.

The short Abstracts and References in the Margin, will, it is hoped, be found accurate; and upon the Whole, the Editor is not conscious of having omitted any Care or Pains in discharge of the Trust he has been honoured with; and hopes this will, upon Perusal, be found a correct and useful Edition of the Statutes at Large, agreeable to the Intention of that respectable Authority, at whose Desire this Work was ordered and undertaken.

APPENDIX. H.

INSTANCES illustrative of the Method of promulgating STATUTES in ENGLAND and SCOTLAND.

I.—ENGLAND.

28 May; 3 Edw. I. A. D. 1275.

WRIT to the Justices of Chester, with certain Statutes under the Great Seal, commanding him, amongst other Things, to cause the same to be read, and publicly and solemnly proclaimed in full County, and in every Hundred, City, Borough, Market Town, &c.; and to make Transcripts thereof, and deliver the same to Four or Two of the most trusty and discreet Knights of the same County, for the Purposes in the Writ particularly specified.—Similar Writs were sent to all the Sheriffs of England.

From the Patent Roll, 3 Edw. I. m. 10.

De Statutis legendis & pclamand in Com̄ Cestr̄ & alibi.

Rex Justic̄ suo Cestr̄ Saltm. Cum ꝑpt̄ c̄oem utilitatē & tocius regni nr̄i melioraĉoem & pop̄li nr̄i relevaĉoem, de 9ī consilio Prelatoꝝ & Magnatū ej⁹dē regni, q^a sdam ꝑvisiōes & quedam statuta, cū magna diligencia ordinari & p⁹mod̄ sigillo nr̄o signari fec̄im⁹ tam a nob̄ & Ministris nr̄is quib3cūq, q^a ab ip̄is Prelatis & Magnatib3 suis, ac tota 9itate regni p̄dc̄i, ad ꝑpetuam memoriam rei geste inviolabilit̄ obs̄vand̄; Vob̄ mandam⁹ in fide & dilecc̄oe quib3 nob̄ tenemini, firmit̄ injūgentes, qd̄ ꝑvisiones & statuta illa in pleno Com̄ Cestr̄, & in singul̄ Hundr̄ ejusdē com̄, civitatib3, burgis, vill̄ m̄catoriis, & locis aliis ubi expedire videritis, legi & publice & sollēpnit̄ ꝑclamari, & ea in om̄ib3 et sing̃lis articulis suis & ab om̄ib3 de balla vr̄a fut'is temporib3 jux^a tenorē eoꝝdem firmit̄ & inviolabilit̄ obs̄vari; & ꝑvisionib3 & statutis illis sic ꝑclamatis, & ea in sing̃l locis inf^a ballam vr̄am ubi expedire videritis distinĉte & apte cōscribi, & ea fidelib3 nr̄is locoꝝ illoꝝ, sic sc^ipta, sine dilōe lib̄ari, vob̄ ac ballis & fidelib3 nr̄is h̄ere cum eis judicav̄itis ostēdēda, & q^a tuor vl̄ duob3 militib3 de fidelioribꝫ & discreĉoribꝫ militib3 com̄ p̄dc̄i, de assensu tocius 9itatis t^a di faciatis, ad sec'itatē nr̄am & dc̄e 9itatis c⁹todiend̄. Et ita vos h̄eatis in hoc mandato nr̄o exequendo ne nob̄ seu aliis, ꝑ vos vl̄ vr̄os, seu vob̄ ꝑ def̄cm vr̄m vl̄ vr̄oꝝ, imputari possit vl̄ debeat, qd̄ ea que in dc̄is ꝑvisionib3 & statutis continent' vel eoꝝ aliqua in balla vr̄a min⁹ plene obs̄vent'. Et hoc vob̄ & univ̄sitati com̄ p̄dc̄i tenore p̄senciū significam⁹. T. R. apud Westm̄ xxviij. die Maii.

Cons̄ lr̄e dirigunt' singul̄ Vicecōitib3 ꝑ Angl̄.

24th Novr 16 Edw. III. A. D. 1343.

WRIT to the Sheriff of Essex, and Hertford, to proclaim and publish a certain Ordinance relating to Money: With the Return thereto.

From the Original in the Tower of London.

EDWARD ꝑ la g^a ce de Dieu Roi Dengleṫre & de France & Seign^r Dirlande au Visconte de Essex & Hertf salutz. Come nadgers p^r ce q̃ comune clamour estoit ꝑ my nr̄e roialme Dengleṫre q̃ nr̄e bone monoie & fort lesṫling fust contrefaet es ꝑties de la la mier̄, & la monoie ensi contrefaite feable & de meyndre value q̃ nest lestarlyng est porte & curt come estarlyng̃ en nr̄e dit Roialme, & nr̄e bone monoie avant dite enporte ꝑ Marchaunz & autr̄s queraunz lo's singuler ꝑfit, en cōe damage de no⁹ & de nr̄e Poeple; fust entr̄ autr̄s choses ordeigne ꝑ nos & ꝑ assent des Prelatz Countes Barons & autr̄s de nr̄e dit Roialme,[1] q̃ nul hōme de qel estat ou condicioun qil feust p^ive ou estraunge ne portast nr̄e dit bon monoie lestarlyng̃, ne argent en plate ne vesseal dor ne dargent hors de nr̄e dit Roialme, s^r forfeture de la monoie plate vessel avant ditz; ne q̃ nul ne porte deins nr̄e dit Roialme monoie contrefaite la nr̄e, s^r forfeture de vie & de biens; issint tote foit q̃ gentz de qecumq, pais qil fuissent p^r roient salvement porter a nr̄e eschaunge, come bilion & ne my ailliours, argent en plate vessel & tote manere de monoie dargent ne mye contrefeate lestarlyng̃, de quecumqe coyne qils fuissent & illoeqes reteynrent la verroie value en estarlyng: Nous p^r cōe ꝑfit de nos & de tot nr̄e Roialme, voilliaunz la dite ordeiginance estre tenue en cel ꝑtie eioms ordeigne, q̃ bone garde & estreit se face es touz les lieus s^r la costere de la mier en portz & aillio's ou man̄e darravilie est ꝑ bonz & leals iurez, qi en nr̄e noun diligiaument

[1] See *Rot. Fin.* 5 E. III. *m.* 19: 9 E. III. *m.* 10. and page 273 of the Statutes in this Volume.

ꝭchent, q̃ nul de quel condicion ou estat qil soit ne porte nr̃e bone monoie lestarlyng̃, argent en plate vessal dor ne dargent, hors de nr̃e dit Roialme saunz nr̃e conge especial; ne ne porte deinz nr̃e dite roialme moneie contrefaite la nr̃e, s[r] les Peynes & forfatures soutz escritz; & voloms q̃ la cominalte de chescun ville ou port ou arivaillie est eslisent deux bones hõmes & leals de mesme la ville, p[r] quex ils voillent respondre si autr̃s ne soient assignez p no[ꝰ], & qe ceaux issint assignetz ou esluz p no[ꝰ] ꝭchent sauntz desport toutz ceaux q̃ passeront hors de dit roialme, ou ariverent en icel deinz lo[r] gardez, & facent arester & salvement garder a nr̃e oeps touz les bones esꝭlinges qil troverent ordeignez denporter hors de nr̃e dit roialme, & aussint la moneie contrefaite le nr̃e porte en nr̃e roialme; & de ce qils a∀ont issint arestuz facent endentur̃s entr̃ eaux & les bailliffs des villes ou tiel arest se fra, & ꝭtefient meigntenaunt les Tresorer & Barouns de nr̃e Eschequer de lo[r] fait, siqils puissent outr̃ faire nr̃e ꝓfit des ditz estarlingges, & la monoie contrefate qils a∀ont arestuz facent sauntz delai venir̃ a noz eschaunges, & liverer illoeqes as gardeintz des ditz eschaunges p endenture; & qe lun̄ ꝓtie de lendenture issent feat entr̃ eaux facent venir̃ en nr̃e dite Escheqiere, ꝓ la quele le dit gardein ꝭra charge de ce qil a∀a issint recieu; & p[r] mueltz encurager les dit sercheours de faire la ꝭche diligealment, si voloms q̃ de ce q̃ ꝭra issint forfait a no[ꝰ] les ditz ꝭchours eiont le disme dener de nr̃e doun p[r] lo[r] travaillie; p[r]veu tote foitz q̃ les ditz ꝭchours avant qils receivent le office avant dit jurrent avant le Viscounte ou Meir ou Baillifs de lieu, qils ferront lealment la dite ꝭche & loialment ent respounderount a no[ꝰ] & si ils facent relez ou desport a nulli p[r] doun ou favour ou en autr̃ ma∀e, & de ce soient atteint, qils soient en forfeture de q[a]nq̃e qils ont; & aussint avoms ordeine q̃ si lestarlyng suspecionus & q̃ nest mye de bon poys soit porte en le dit roialme, soit arestuz & porte a noz chaungez a costages de ceux q̃ le apporteront, & illoqes assaie; & si trove soit q̃ la livre soit de moindre value delestandard Dengle∀re soit founduz, & la droite value de ce q̃ ꝭra issint funduz baillie a lui q̃ le port en bone monoie, solonc le standard: & p[r]ce q̃ ꝓ la ordeinance susdite Marchauntz & autr̃s ne poent porter hors de roialme le bon estarlyng ne monoie contr̃fate, si voloms bien soeffrer qils puissent enporter autr̃ leal moneie dor ou dargent solonc ce qils porront mulietz chever: ꝓ quei vo[ꝰ] mandons q̃ les choses soutz escritz ꝓ tote v̄re baillie, & cites villes burghs portz du miere & autr̃s lieus qecumqes deinz fraunchises & de hors, ou vo[ꝰ] ∀retz q̃ soit affaire facez crier & publier, & p[r] ferm & estable tenir, issint q̃ ꝓ la dite criee touz les articles & peynes avant ditz puissent estre conuz a totes gentz, & q̃ nul ne se puisse ent escuser; & de ce q̃ vo[ꝰ] a∀ez fait en celle ꝓtie no[ꝰ] ꝭtifiez distinctement & aptement souz v̄re seal, a lendemayn de Seint Hillar̃ ꝓschein avenir, remaundauntz a no[ꝰ] ceste nr̃e brief: Et ce s[r] pil q̃ apent ne lessez en nulle ma∀. Tesmoigne nr̃e Treschier fitz Edward Duc de Cornwaillie & Counte de Cestr̃, Gardein Dengle∀re, a Kenyngton le xxiiij jour de Nov̄ lan du nr̃e regne Dengle∀re seszisme & de Fraunce tierce.

ꝓ mesme le Gardeyn & Counsail.

In dorso. Jeo Henr̃ Gernet Viscounte de Essex et de Hertford ay fait crier et pupplier totes les articles deyns escriptes en pleyn Conte et en tous autres lieus et portz de la Mier ou nul arrivail est, come le mandement nr̃e Seign[r] le Roi voeut.

15th March 35 Ed. III. A.D. 1362. *WRIT to the Sheriff of Lincoln, to cause certain Ordinances sent to him therewith under Seal, to be publicly proclaimed in every City, &c.; and, after Proclamation made, to cause the said Ordinances or a Copy thereof, to be delivered under his Seal to every Justice of the Peace. With the Return to the said Writ.*

From the Original in the Tower of London.

Edwardus Dei Gr̃a Rex Angł Dñs Hibñ & Dux Aquit̄ Vic̄ Lincolñ saltm. Quasdam Ordinac̃oes ꝓ Nos, Prelatos, Magnates, & Cõitatem regni nr̃i Angł, in ultimo pliamento nr̃o apud Westm̄ convocato fc̃as, quas in singulis Comitatibꝫ, Civitatibꝫ, Burgis, villis m̄catoriis, feriis, m̄catis, & aliis locis publice ꝓclamari & teneri volum[ꝰ], tibi mittim[ꝰ] sub pede Sigilli nr̃i; Mandantes qđ inspectis ordinac̃oibꝫ ꝓdc̃is eas om̃es & singulas in Civitatibꝫ, Burgis, villis m̄catoriis & aliis locis ejusdem Com̄ tam infra libtates q[a]m ext[a] ubi expedire videris publice juxta formam in eisdem contentam, ꝓclamari & teneri fac̃; & fc̃a ꝓclamac̃oe ꝓdc̃a modo quo ꝓdicit[r] om̃es ordinac̃oes ꝓdc̃as, vel saltem copiam eaꝺem, Justic̄ nr̃is ad pacem nr̃am in eodem Com̄ conservand assign̄, ad eas in sessionibꝫ suis observari & teneri faciend, sub sigillo tuo libari fac̃: & de eo quod inde fec̃is, & a quo ubi & quo die ꝓsens mandatum nr̃m recepis, nos in Cancellar̃ nr̃a sub sigillo tuo cit[a] mensem Pasche ꝓx̃ futur̃ reddas ꝭtiores. Et hoc sicut te ip̄m indempnem servare volu∀is nullatenus omittas. T. me ipo apud Westm̄ xv die Marcii anno r. n. tricesimo quinto.

ꝓ ip̄m Regē et Conś.

Endorsed:—

Respons̄ Joh̄is de Boys Vic̄ Lincoln̄.

Istud br̃e libatum fuit michi apud Linc̄ die Jovis ꝓx[a] post quindenam Pasche, hora vespaꝛ ꝓ quendam Joh̄em de Parys nunciū de Sc[a]cio Dñi Reg̃, cum quadam cedula sub pede Sigilli Dñi Reg̃ de Ordinac̃oibꝫ p Dñm Regem, Prelatos, Magnates, & Cõitat̄ regni Dñi Reg̃ Angł, in ultimo pliamento suo apud Westm̄ convocato fc̃is. Et easdem ordinac̃oes om̃es et singłas in Civitate Lincoln & aliis Burgis, villis m̄catoriis, feriis, m̄catis, & aliis locis tam inf[a] libtates q[a]m ext[a] ubi expedire vidi publice ꝓclamari feci, juxta formā in eisdem ordinac̃oibꝫ. Et copiam oīm ordinac̃onū ꝓdc̃aꝛ Justic̄ Dñi Reg̃, ad pacem in Com̄ Lincoln̄ conservand assign̄, sub sigillo meo libavi sc̄dm tenorem hujus br̃is.

II.—SCOTLAND.

A Precept for the Publication of the Statutes of Robert I. A.D. 1318, is prefixed to the Copy of those Statutes in the Antient Monastic Register of Aberbrothick.—The Rubric, "Mandatū &c." is apparently the Work of the Copyist. This Precept is in the following Words:

Mandatū dñi Reg̃ Robti pro Statutis inf^{a}sc^{i}ptis obſuandis.

Robt^{9} dei grã Rex scottoꝝ Justiciarijs vicecomitibꝫ p̄poĩtis & eoꝝ Ballis, cet̄is q, fidelibꝫ vniu̇sis, ad quoꝝ noticiam p̄sentes ire pueñint; salt̄m. Sciatis q̃ de consilio & exp̄sso consensu, ep̄oꝝ, abbatū, p^{i}oꝝ, comitū & Baronū ac toci^{9} cõitatis Regni nr̄i in pleno pliamẽto nr̄o tento apd̄ sconã die d̄nica p^{9} festū sc̄i andree ap̄li cū continuac̃oe dierū sb̄seq̃ncium, ãno Regni nr̄i xiij^{o} auc^{a}te ĩra Regia, inf^{a}sc^{i}pta statuta condita sũt & f^{i}mata. Qu^{a}re vob̄ mandam^{9} & f^{i}mit̄ p̄cipim^{9} q^{a}tin^{9} dc̃a statuta ad c^{i}ias ĩras inf^{a} Ballias v̄ras tenendas, & alibi ubi fũit frequens cõg^{r}gac̃o p̄bli publice legi & proclamari faciatis, ac inuiolabit̄r ab oĩnibꝫ, tam in c^{i}ijs p̄latoꝝ, comitū & Baronū, & oĩm alioꝝ qui c^{i}ias ĥnt, q^{a} in c^{i}ijs ñris p̄prijs, quibꝫ volum^{9} q̃ p vos det^{r} copia statutoꝝ, ita q̃ mat̄iam nō ĥeant se excusandi de ignorancia eoꝝd̄m.

In the Reign of David II. A.D. 1366, a Parliamentary Ordinance was made in the following Words "Item quod Dominus Noster Rex faciat omnia et singula prenotata sub sigillo suo in scripto redigi et per singulos Vicecomites publice proclamari."

In a Miscellaneous Manuscript of Scottish Law, in the Advocates' Library at Edinburgh, marked W. 4. ult. supposed to have been written in the Reign of James III., there is a Precept for the Publication of certain Acts passed in the first Three Parliaments of James I, in pursuance of the Act 1425, commonly intituled "Anent the Executioun of the Actis of Parliament maid of befoir." The Precept is in the following Words:

James be þ^{r} grace of Gode King of scottis till Justice ſais aldmeñ ꝛ þar balȝes ande til all oþ^{r} leil liegꝭ ande subdittꝭ to þe knawleg̃ of quhã þ^{i}r p̄ñt ires cũis greting̃ wit ȝe þat in our pliamẽt at Pertĥ diũse tymes haldin thru þ^{e} expresse coñsal ꝛ ȝsent of þe [fre^{1}] estatꝭ of our kinrik throu þe autorite of our kingdom̃ þ^{i}r w^{i}n writtin statutꝭ war mad & formyt of þ^{r} quhilk forsuth statutꝭ þe teno^{r} folowys in wlgar tung̃.

Here follow the Statutes.

Quharfor to ȝow we bid ꝛ ȝmand þat þ^{r} forsaide statutꝭ in our next court w^{i}n ȝo^{r} balȝ^{r}ꝭ to be haldī ꝛ in oþ^{r} placꝭ quhar oftast hapnis ȝg^{r}gac̃on of pepil opinly ȝe ger be rede ꝛ cryit and alsua in þ^{r} court of p̄latꝭ erlis barounis ꝛ of al oþ^{r} hafand courtꝭ ye quhilkꝭ we will þ^{i} be ȝow þ^{r} Copy be gevin of þ^{r} statutꝭ sa þat þai haf na maꝰ þai til excuse of þ^{r} ignorans of þai Comandand mar atour ꝛ straitly iniunand þat alswell ȝ^{r} as our oþ^{r} subiectꝭ ꝛ lieg̃meñ þ^{r} forsaid Statutꝭ in al þar poyntꝭ ꝛ Articliſ vnmoffabily ȝe ꝛ þai kep ꝛ obserf vnd̄ all payn þ^{r} quhilk aw or may cũ þ^{r}of or folow Gevin vnd̄ þ^{e} vitnes of our gret seill at edinburgh þ^{r} xx day of Ap^{i}ll þe ȝer of o^{r} Lord Mcccxxvj and of o^{r} kinrik þe xxi ȝer.

In the same Manuscript, and in some others, there is a similar Precept for the Publication of certain Statutes enacted by a Parliamentary Commission in 1432.[3] This Precept is in the following Words:

James be the grace of gode king of Scottꝭ til all and sindry bischoppis abbotꝭ priouris clerkꝭ Erlis baroñis lordꝭ of Regaliteis vassalis Justicis ſreffꝭ p̄vestꝭ balȝeis ñiist^{i}is and ledarꝭ of þe law within burgĥ ꝛ vtouth and til all vthiris officiarꝭ oure liegꝭ ꝛ subiectꝭ to quhais knawlege þir oure lĩres sal cum greting ffor quhy þat oute of oure last pliamẽt haldyñ at Pertĥ in þe moneth of October last passit be þe ordinance of oure [fre^{2}] estatꝭ þare was deput d̄tane p̄sonis at tyme ꝛ place conueniable quhẽ vs suld like to assemble to ordane ꝛ ȝmoñ apon d̄tane statutꝭ p̄fitable for the cõmon gude of oure Realme We witĥ the forsaid p̄sonis assemblit for stanching of the fellone slauchd̄is and barganis þat is apperande ꝛ for the abreging of the law in swilk case has ordanit ꝛ statute ĩ the forme ꝛ maner as eftir folowis þat is to say.

Here follow the Statutes.

Quharfor to ȝ^{u} al ꝛ syndri ſais balȝes ꝛ ñiist^{i}is w^{i}n burgĥ ꝛ vtouth straytly we bide ꝛ ȝmand þ^{i} þ^{r} forsad statutꝭ ȝe kep ꝛ ger be kepit ĩ all furñi ꝛ effec as is befor w^{i}ttyn vnd̄ þ^{r} payn forsaid gevī vnd̄ o^{r} p^{i}ue seil at Pertĥ þ^{e} xxvij of Mayi ꝛ of o^{r} regne þ^{e} xxvii ȝer.

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[1] [2] *Other MSS. read* thre.

[3] In the Edition 1566, these Statutes are placed between those of a Parliament in July 1426, and those of a General Council in March 1427, without any appropriate Date; having prefixed to them, the first or introductory Part of the abovementioned Precept, but without its conclusion. In the Editions 1597 and 1681, the Precept is altogether omitted, and the Statutes are given as a Continuation of those of the Parliament 1426.

The following Acts, of James I, James II. and James VI. relate to the Proclamation of the Statutes in SCOTLAND. The first two are taken from the best Manuscript Copies which remain; the last is extracted from the Records of Parliament in the General Register House at Edinburgh.

In Parliamento apud Perth, xi die Martii, A. D. 1425.

[1] ITEM þe king with consent of þe thre estatꝭ of þe realme has ordanit þ' all statutꝭ & ordinance of þ's pliamẽt & of the twa pliamẽtꝭ precedande be registrat ī the kingꝭ Registir ande gevin to þe freſſ Quhilkꝭ statutꝭ & ordinās ilk fref sall ger be publist and ꝑclamyt in the chefe place of his frefdoñie ande in vthir notable placꝭ Ande als to geve the copiis of þaī bath to ꝑlatꝭ baroñis & borowis of his balzery apoñ þe expenſ of the askarꝭ Ande at ilk fref ger be kepit þe tenor of þis act vndir payn of p'uacioñ of his office Ande at ilk fref geve oppyn biding to þe pepill of his balzery batħ to lande ande to burgh to kep & fulfil all statutꝭ & ordinance maid ī the saidꝭ tꝛe pliamẽtꝭ vndir þe paynis cõtenit ī þe actꝭ of þaī swa þat nane hafe cause to ꝑtende na allege ony ignorance.

In Parliamento apud Edinburgh, vi^to^ die Martii, A. D. 1457.

[2] ITEM þe lordꝭ thinkꝭ speidfull þat ouꝛ soũane lorde 9mande all his frefꝭ ande 9missarꝭ of burowis to cum to þe clerk of his Registre and ger copy all þir articulis actꝭ and statutꝭ abone writtyñ and ger ꝑclame þame opinly throu out þar schyrꝭ and burowis sa þat nane of his liegꝭ allege Ignorãce of þame in tyme to cum And alsua þat all þe actꝭ and ordinance abone writtyñ þe quhilkꝭ ar necessary till his baroñis and frehaldarꝭ to be schawin at þ' witsũdais making of þ' baroñe courtꝭ ry' sa be takin and copyit and schawin to his tenandꝭ sa þat noþ' þe frehaldar nor þe tenãdꝭ be negligent nor ꝑtmyt þe obſuyng of þe saidis decretꝭ and at þe paynis set þ'apone be sa deuly raisit þat þe saidꝭ actꝭ and decretꝭ be obſuyt and kepit as effertꝭ.

[3] ANDE þ' attouꝛ señ gode of his he grace has send ouꝛ soũane lorde sik ꝑgreſ and prospite þat all his rebellys and brekarꝭ of his Justice ar removit out of his Realme and na maiſtfull ꝑty remanande þat may cauſ ony breking in his Realme sa þat his hieneſ be inclinyt ī himself and his ñiiſtis to þe quiet & 9moñe ꝑfett of þe Realme and Justice to be kepit amangꝭ his liegꝭ his thre estatꝭ w' all hũilite exhortꝭ ande requirꝭ his hieneſ to be inclynit w' sik diligence to þe execucioñe of þ' statutꝭ actꝭ and decretis abone writtyñ þ' god may be emplesit of him and all his liegꝭ spũale and tempale may pray for him to gode and gif thankyng to him þat sende þame sik a p'nce to þ' goũno' and defendo'.

In Parliamento apud Edinburgh, penulī die Novembris, A. D. 1581.

Anent the proclamatioun of þe actis of parliamẽt.

Forsamekill as it is vnderstand to þe kingis maiestie and thre estatis of ꝑliament, That oftymes doutis & questionis arysis tuiching þe proclamatioun of þe actis of parliament & publicatioun þairof; It being sũtime alledg. . be þe leigeis, þat þei ar not bound to obserue & keip þe samin as lawes, nor incur onie panes cõtenit þ'in, qll þe samin be proclamit at ñicat croces of þe heid burrowis of all scherris: For Remeding of qlk dowtes in tyme cũing it is statute and ordanit be oure souerane Lord and estatis of þis present parliament, That all actis and statutis of ꝑliament maid at this tyme, and þat sal happin to be maid at onie tyme heirefter, salbe publischit and proclamit at þe ñicate croce of edinburgh onlie. Quhilk publicatioun oure said souerane Lord and estatis foirsaidis, decñis and declaris, to be als valiabill and sufficient as þe samin wer publischit at þe heid burrowis of þe haill schires w'hin this realme. And alswa declaris þe haill Leigis to be bundin and astrictit to þe obedience of þe saidis actis as Lawes fourtie dayis eftir þe publicatioun of þe samin at þe said ñicate croce of edinburgh being bypast.

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[1] No Rubricks, or Titles, to the Acts appear to have been inserted in the Parliamentary Records of this Period. In Skene's Edition 1597 pa. 10. nu. 67. this Act is intituled, "Anent the extract and execution of the Actes of Parliament."

[2] } These in the Manuscripts are given as Two different Acts or Chapters; In Skene's Edition 1597 they are printed as one.

[3] } In the oldest Copy of these Acts, the Rubrick, or Title, of the First is,—"Off copying of þe Actꝭ."—Of the Second; "Exortacioñe to þe Kyng fra þe lordꝭ." In Skene's Edition pa. 45, nu. 90. the following is the Title prefixed to the whole as one Chapter, "That all the Actes be copied fra the Clerk of the Register, and proclaymed."

CHARTERS of LIBERTIES,

GRANTED BY

HENRY, I.
STEPHEN.
HENRY, II.

JOHN.
HENRY, III.
EDWARD, I.

Kings of England.

TABLE OF THE CHARTERS.

THE CHARTERS, of which the TITLES are here distinguished by an ASTERISK (*)
ARE NOT INSERTED IN
SIR WILLIAM BLACKSTONE'S Edition of THE CHARTERS.

Page

I. CARTA REGIS HENRICI, I. ANNO REGNI PRIMO. A.D.MCI. - - - 1

THE TEXT *is printed from the* TEXTUS ROFFENSIS, *fo.* 96, *in the Archives of* ROCHESTER CATHEDRAL; *from Hearne's Publication whereof the Copy in Blackstone's Charters, Quarto Edition, Introd. pa.* iv. *in the Notes, was printed.*

The Various Readings marked R. 1. *are from the Recital of the Charter at the Beginning of the Laws of* HENRY I. *entered in the Red Book of the Exchequer at Westminster, fo.* 16, *with the Title* De lĭbtate eccl̃ie & toci⁹ Angł obs̄vanda Leges Henrici: *another Entry of the Title on the same Leaf adds* p'mi fit 9questoris. *The following is the Introductory Sentence at the Head of these Laws; after which the Charter immediately succeeds:*

Hec sunt deniq; beata pacis ac lĭbtatis exoptate gaudia, quib; toti regno suo gł̃os⁹ Cesar Henricus in divinis legib; & sc̃taribꝫ institutis, Sc'ptis et bonoꝫ opum exhibicionib; irradiat moḍatus, justus, fortis, p⁹dens, quem Deus felicib; auspiciis & salutari q̃s corpeis & aĩe pspitate cum 9juge sua inclita Matilde sc̃da & eoꝫ lĭbis longis sc̃oꝫ sc̃is & e⁹na pace gentis nr̃e faciat impare.

The Various Readings marked R. 2. *are from a Copy of the Charter, as sent into Worcestershire, entered in the same Red Book, fo.* 163, *b, with the Title* Carta ℟ H. p'mi fit ℟. W. de lĭbtatib; cōcessis Anglis [*two earlier Entries of the Title, almost obliterated, add* in sua coronac̃oe] & t̃uit quilibet Comitat⁹ talem.

II. CARTA REGIS STEPHANI, ANNO REGNI PRIMO. A.D.MCXXXVI. - - 3
DE LIBERTATIBUS ECCLESIE ANGLICANE, ET REGNI.

THE TEXT *is printed from a* CHARTER *in the Archives of* EXETER CATHEDRAL, *having Part of the Great Seal remaining annexed.*

AN ENGRAVED COPY *is subjoined.*

The Copy in Blackstone's Charters, Quarto Edition, Introd. pa. v. *in the Notes, was printed from that given in Hearne's Notes to Gulielmus Neubrigensis, pa.* 711, *as from a Charter in the Hands of* Mr. HEARNE. *The Various Readings marked* H. *are from Hearne's Printed Copy. Those marked* C. *are from Entries in Two Register Books in* CANTERBURY CATHEDRAL, *Reg. V. fo.* 14.; *& Reg.* IX. *fo.* 72.

III. CARTA REGIS STEPHANI. - - - - 4

THE TEXT *is printed from the* COTTON MS. Claudius D. II. *fo.* 75 *or* 68, *b, in The* BRITISH MUSEUM.—*In Blackstone's Charters, Quarto Edition, Introd. pa.* v. *in the Notes, it is stated that a Copy of this Charter is entered in the Red Book of the Exchequer at Westminster: In the Octavo Edition, pa.* ix, *this Assertion is corrected; and the Copy is given as from the Cotton MS. On diligent Search, no such Article has been found in the Red Book.*

IV. CARTA REGIS HENRICI II. - - - - - - - - 4

THE TEXT *is printed from the* COTTON MS. Claudius D. II. *fo.* 79, *or* 70, *b.—The Various Readings are from the Copy printed in Blackstone's Charters, Quarto Edition, pa.* vi. *in the Notes, as from the Red Book of the Exchequer; but on diligent Search no such Article has been found there.*

*V. CARTA REGIS JOHANNIS } ANNO REGNI, XVI°. A.D.MCCXIV. - - 5
Ut lĭbe sint Electiones tocius Anglie }

THE TEXT *is printed from the* REGISTER BOOK V. *fo.* 14, *b, in the Archives of* CANTERBURY CATHEDRAL.—*The Various Readings marked* IX. *are from the Register Book* IX. *fo.* 78, *in the same Archives.—Those marked* R. *are from an Entry in the Red Book of the Exchequer at Westminster, fo.* 273, *b, of a Bulle of Pope Innocent III. reciting and confirming this Charter.—From an Entry in the same Red Book, fo.* 267, *b, it appears that this Bulle was brought into the Exchequer for safe Custody, on the* 20*th of April, An.* 8 *Edw. II.—The Bulle is dated* Laterañ 3 kł Aprił, pontificatus nr̃i anno octavo decimo.

VI. ARTICULI MAGNE CARTE LIBERTATUM, A.D.MCCXV. - - 6

THE TEXT *is printed from the Original under the Seal of* KING JOHN, *now preserved in The* BRITISH MUSEUM; *Donation MSS. No.* 4838; *having been placed in that Repository by Earl Stanhope, in the Year* 1769. *This appears to be the identical Instrument, formerly in the Possession of Archbishop* LAUD, *and afterwards of Dr.* BURNET, *Bishop of Salisbury, from which the Copy in Blackstone's Charters, Quarto Edition, page* 1—9, *was printed. A few Letters now worn out or illegible are supplied, in the Italic Character, from Blackstone's printed Copy.*

AN ENGRAVED COPY *is subjoined.*

VII. MAGNA CARTA REGIS JOHANNIS ANNO REGNI XVII°. A.D.MCCXV. - - 9

THE TEXT *is printed from a* CHARTER *in the Archives of* LINCOLN CATHEDRAL; *indorsed with the Word* LINCOLNIA *repeated on Two Folds of the Charter; and also, in a Hand-writing more modern than the Charter, with the following Words;* Concordia int̃ Regem Joh̃em & Barones p̃ concessioñe lĭbtatū ecc̃lie & regni Anglie.

AN ENGRAVED COPY *is subjoined.*

The Various Readings marked C. 1. C. 2. *are from Two Charters among the Cotton MSS. preserved in The* BRITISH MUSEUM. C. 1. *refers to the Charter from which an engraved Copy was made by Pine, and from which the Copy in Blackstone's Charters, Quarto Edition, page* 10—24, *was printed: It is now secured with a Frame and Glass; and some Part of the Great Seal remains annexed; but the Whole is considerably injured.*—C. 2. *refers to a Charter bound up, with other original Instruments, in a large Volume;* Augustus II. *No.* 106, *in the Volume. The Various Readings marked* R. *are from an Entry,*

Page

Entry, in the Red Book of the Exchequer at Westminster, o. 234, of the Letters Testimonial which are referred to at the End of the Charter. These Letters Testimonial begin thus:

Mnibus xp̃i fidelibus ad quos p̃sens scriptū pvenit: Steph̃us Dei gr̃a Cantuar̃ Archiep̃s tocius Anglie p'mas & sc̃e Rom̃ Eccl̃ie Cardiñ, Henr̃ eadem gr̃a Dubliñ Archiep̃us, Willmus Londoñ, Petr⁹ Wintoñ, Joscelin⁹ Bathoñ & Glastoñ, Hugo Linc̃, Walt̃us Wigorñ, Witt̃s Coventr̃ & Benedc̃us Roff, divina miserac̃one Ep̃i, & Magr̃ Pandulfus domini p̃p subdiaconus & familiaris sat̃m in dn̄o. Sciatis nos inspexisse cartam quam dominus nr̃ Johannes Illustris Rex Anglie fecit Comitib3, Baronibus & liberis hominib3 suis Anglie de libtate sc̃e eccl̃ie & libtatibus & liberis consuetudinib3 suis eisd̃ ab eo concessis sub hac for[a].

The whole Charter is then recited at Length, and the Letters Testimonial end thus:

Et ne huic forme p̃dc̃e aliq'd possit addi vt ab eadem aliq̃ possit subt'hi vt minui, huic sc'pto sigilla nr̃a apposuimus.

VIII. MAGNA CARTA REGIS HENRICI, III. ANNO REGNI I°. A.D.MCCXVI. - - - 14

THE TEXT *is printed from the* CHARTER, *in the Archives of* DURHAM CATHEDRAL, *from which the Copy in Blackstone's Charters, Quarto Edition, page* 27—36, *was printed. The Various Readings are from an Entry in the Red Book of the Exchequer at Dublin, fo.* 69, *of a Charter of the same Date transmitted to* IRELAND.

IX. MAGNA CARTA REGIS HENRICI, III. A.D. MCCXVII. - - - 17

THE TEXT *is printed from the* CHARTER, *with the Seals of the Legate and the Earl Marshal remaining annexed, in the* BODLEIAN LIBRARY *at* OXFORD, *MSS. Furney, No.* 5, *from which the Copy in Blackstone's Charters, Quarto Edition, page* 37—46, *was printed.*

*X. CARTA DE FORESTA, REGIS HENRICI, III. ANNO REGNI II°. A.D.MCCXVII. - - - - 20

THE TEXT *is printed from a* CHARTER, *with the Seal of the Legate remaining annexed, preserved in the Archives of* DURHAM CATHEDRAL. *This Charter has been in Part destroyed by Time or Accident. The Words and Letters requisite to supply the Deficiencies are suggested from Copies of the Charter of the Forest in* Lib. X. *fo.* 18, *at the Exchequer at Westminster; in the Black Book of the Cathedral of Christ-Church, Dublin; and in the Domesday Book of the Cathedral of York. The Words and Letters so suggested are printed in the Italic Character.*

AN ENGRAVED COPY *is subjoined.*

XI. MAGNA CARTA REGIS HENRICI, III. ANNO REGNI IX°. A.D.MCCXXIV-V. - - - - 22

THE TEXT *is printed from a* CHARTER *in the Archives of* DURHAM CATHEDRAL, *with the Great Seal remaining annexed. This Charter has been injured by the Accident of some Ink having been thrown over it; Some Words and Letters are therefore nearly illegible. These have been ascertained by the Aid of the Ledger Book,* Cart[m] I. *fo.* 194, *in the same Archives.*

AN ENGRAVED COPY *is subjoined.*

The Various Readings marked W. *are from the Charter of this Date, from which the Copy in Blackstone's Charters, Quarto Edition, page* 47—59, *was printed. That Charter is preserved in the Evidence Tower at* LACOCK ABBEY, *in the County of Wilts: It is indorsed with the following Words:* Ex deposito militū Wiltisiř. Henř Reg̃ fit Joh̃ Reg̃ de libtatib3 & q'busdā 9suetudinib3 p Angliā 9stituť. *The Various Readings marked* R. *are from an Entry in the Red Book of the Exchequer at Westminster; fo.* 183.

XII. CARTA DE FORESTA, REGIS HENRICI, III. ANNO REGNI IX°. A.D.MCCXXIV-V. - - - - - 26

THE TEXT *is printed from the* CHARTER *in the Archives of* DURHAM CATHEDRAL, *with the Great Seal remaining annexed, from which the Copy in Blackstone's Charters, Quarto Edition, page* 60—67, *was printed. This Charter has been in Part destroyed by Time or Accident. The Words and Letters deficient have been supplied from an Entry of the Charter in the Ledger Book,* Cart[m] III. *fo.* 211, *in the same Archives: These are inserted within Brackets.*

XIII. CARTA CONFIRMATIONIS REGIS HENRICI, III. ANNO REGNI XXI°. A.D.MCCXXXVI-VII. - - - 28

THE TEXT *is printed from the* CHARTER, *with the Great Seal remaining annexed, preserved in the* BODLEIAN LIBRARY *at* OXFORD, *MS. Furney, No.* 6, *from which the Copy in Blackstone's Charters, Quarto Edition, pages* 68, 69, *was printed. The Various Readings are from an Entry on the* CHARTER ROLL *in the Tower of London,* 21 *Hen. III. m.* 7.

*XIV. MAGNA CARTA, REGIS HENRICI, III. ANNO REGNI XXXVI°. A.D.MCCLI-II. - - - - 28

THE TEXT *is printed from a* CHARTER *in the Volume of the* COTTON MSS. Augustus II. *No.* 51, *in the Volume. Some apparent Errors in this Charter, and several Instances in which it differs from all the preceding Charters, are specified in the Notes.*

XV. CARTA CONFIRMATIONIS, REGIS HENRICI, III. ANNO REGNI XLIX°. A.D.MCCLXIV-V. - - - - 31

THE TEXT *is printed from the* CHARTER ROLL *in the Tower of London,* 49 *Hen. III. m.* 4; *from which the Copy in Blackstone's Charters, Quarto Edition, page* 74—78, *was printed. The Various Readings are from Copies of the Charter in Cotton MS.* Claudius D. II. *fo.* 137 *or* 124; *and in a Manuscript No.* 70, *in the Library of Corpus Christi College, Cambridge; which Copies agree with each other.*

In Addition to this Charter of Confirmation, it appears that the Great Charter and the Charter of the Forest were at the same Time confirmed and renewed by Charters, in the Nature of Charters of Inspeximus, in which they were respectively recited at Length; and that such Charters were transmitted to the several Counties. It is not known that any of these Charters have been preserved, or are now in Existence: But in the Manuscript No. 70. *in Corpus Christi College, Cambridge, and also in the Cotton MS. Claudius D. II. are inserted the Introductory and concluding Forms of the Charter of Inspeximus of Magna Carta, as sent to the County of Middlesex, under Date of* 14*th March* 49 *Hen. III: The Charter of* 9 *Hen. III. is there merely referred to, and not fully recited; and a Note is added, that the Charter of the Forest was in like Manner confirmed.*

In the Harleian Manuscript, No. 489, *in the British Museum, are Copies of the Two Charters of Inspeximus at length, as sent into Somerset and Dorset, dated March* 13*th, respectively reciting the Whole of the Charters* 9 *Hen. III. The following is the Form of the Introduction and Conclusion to Magna Carta:*

Page

HENRICUS dei gr̃a Rex Angł Dñs Hiberñ & Dux Aq[i]t̃ Archiep̃is, Ep̃is, Abbatib3, Priorib3, Com̃ Baroñ Milit̃, liberis hõib3 & om̃ib3 aliis de Com̃ Som̃s & Dors Salt̃m. Sciatis nos intuitu dei & p salute ãie nr̃e & ãiaꝝ añcessoꝝ & successoꝝ nr̃m cõcessisse Archiep̃is, Ep̃is, Abbatib3, Priorib3, Com̃, Baroñ, Vic̃, p̃põis, & õib3 Bałlis & fidelib3 nr̃is om̃es libtates subsc̃ptas p cartã nr̃am q[a]m eis dudũ fieri fecimus in hec verba. H. dei gr̃a Rex Angł, [&c. *reciting Magna Carta at length to the End*;] Dat̃ apd̃ Westm̃ xj die Febr̃ anno r̃. ñ. ix. Nos autem p̃dc̃as donac̃ones cõcessiones & libertates p̃dc̃as ratas habẽtes & g[a]tas eas p̃senti sigillo nr̃o signatas innovam[9]. Et p nobis & hered̃ nr̃is & successorib3 regib3 Angł ĩppetuũ cõcedim[9], & cõfirmam[9]. Hiis testib3, ven̄abilib3 p̃rib3 H. Lond̃, W. Wygorn̄, J. Wynt̃, B. Dunelens̄, H. Elien̄s, R. Coventr̃ & Licł, S. Cycestr̃, W. Bathon̄ & Wełln, & W. Landaven̄, Ep̃is; S. de Monteforti Com̃ Leic̃, H. le Despens̄ Just̃ Angł, Th. de Clare, Joh̃e de Burgo, Joh̃ fit̃ Johis, Petro de Monteforti, Rad̃o de Cameis, Ad̃ de Novo m̃cato, Egid̃ de Argentẽ, Rog̃o de Sco Johne, Nich. de Seg[a]ve, Will̃o de Mõte Gaviso, Joh̃ de Vesci, Will̃ Marmion, Walp̃ de Creppig̃, Rob de Insul̃, Rad̃ de Sandwico, & aliis. Dat̃ p man[9] Mag̃ri Th̃ de Cantilupo, Canc̃ nr̃i, apd̃ Westm̃ xiij die Mart̃, a° r̃. ñ. xl nono.

The Charter of the Forest is recited and confirmed in the like Form; except that in the Introduction, instead of the Words Milit̃, libis hõib3, *the Words* Justic̃ forestariis, Viridariis, Agistor̃, Regardatorib3, *are inserted: and in the concluding Form of Confirmation, instead of the Words* p̃dc̃as donac̃ones, cõcessiones & libertates p̃dc̃as, *the Words* donac̃ones & cõcessiones libertatũ predc̃aꝝ *are used; and the Names of the Witnesses are not repeated, but merely referred to by the Words* Hiis Testib3, &c.

*XVI. MAGNA CARTA, REGIS EDWARDI, I. ANNO REGNI XXV. A.D.MCCXCVII. - - - - 33

THE TEXT *of this Charter, which is a* CHARTER *of* INSPEXIMUS, *reciting and confirming Magna Carta* 9 *Hen. III. is printed from a* CHARTER, *with the Great Seal remaining annexed, preserved in the Archives of the City of* LONDON, *at the Town Clerk's Office of the Guildhall of that City. On the Fold of the Charter, through which the Label for the Seal passes, is written* p̃ de Scard̃ examinavit. Londoñ. *and in a Schedule annexed to the Charter is a Writ to the Sheriffs of London, for the Proclamation and Observation thereof; a Copy of which is printed at the End of the Charter. On the Back of the Charter is the following Indorsement, written in the Time of Edward II.* Magna Carta p̃ H. de libtatib3 Angł, confirmata p dñm p̃ E. p̃is Reg̃ nunc.

AN ENGRAVED SPECIMEN *is subjoined.*

The Various Readings are from Magna Carta 9 *Hen. III. as printed in Pages* 22—25 *of this Series of Charters: They shew in what Instances all the Copies of that Charter there noticed differ from the Recital in this Charter of Inspeximus.*

A CHARTER *of* INSPEXIMUS *of the* CARTA DE FORESTA *was also granted in this 25th Year of Edward I. It is not known that any Autograph of this Charter has been preserved.*

THE ENTRIES *of both these Charters of Inspeximus upon The* STATUTE ROLL 25 *Edward I. are printed in this Volume among* THE STATUTES *of that Year.*

XVII. CARTA CONFIRMATIONIS, REGIS EDWARDI, I. ANNO REGNI XXV. A.D.MCCXCVII. - - - 37

THE TEXT *is printed from* THE CHARTER *preserved in The* BRITISH MUSEUM, *with the Great Seal remaining annexed, Cotton Charters VII.* 9, *from which the Copy in Blackstone's Charters, Quarto Edition, page* 80—82, *was printed.*

*XVIII. MAGNA CARTA REGIS EDWARDI, I. ANNO REGNI XXVIII°. A.D.MCCC. - - - - 38

THE TEXT *of this Charter, which is a* CHARTER *of* INSPEXIMUS, *reciting and confirming Magna Carta,* 9 *Hen. III. is printed from an Entry on the* CHARTER ROLL *of* 28 *Edw. I. in the Tower of London, No.* 26, *on that Roll. The Roll is entitled* CARTE de anno regni Regis Edwardi, filii Regis Henrici, vicesimo octavo.

Like CHARTERS *of* INSPEXIMUS *of this Date, under the Great Seal, are still preserved in the Archives of the* CITY *of* LONDON, *of* DURHAM CATHEDRAL, WESTMINSTER COLLEGIATE CHURCH, *and* ORIEL COLLEGE, OXFORD. *All these agree very exactly with the Text as now printed from the Charter Roll, except that the Charters begin with the Name and Title of the King at length, as follows:* EDWARDUS dei gr̃a Rex Angł, dñs Hibn̄, & dux Aquit̃, Archiep̃is, Ep̃is, Abbatibus, Prioribus, Comitibus, Baronibus, Justic̃, Vicecomitibus, Prepositis, Ministris, & om̃ibus Bałlis & fidelibus suis Salt̃m. *Some Variations also occur in the several Charters in the spelling of the Names of the Witnesses.*

The Various Readings noted at the Bottom of this Charter are from the Charter of Inspeximus 25 *Edw. I. as printed in Pages* 33—36 *of this Series of The Charters; they shew in what Particulars that Charter of Inspeximus differs from this of* 28 *Edw. I.*

*XIX. CARTA DE FORESTA, REGIS EDWARDI, I. ANNO REGNI XXVIII°. A.D.MCCC. - - - 42

THE TEXT *of this Charter, which is a Charter of Inspeximus, reciting and confirming Carta de Foresta,* 9 *Hen. III. is printed from an Entry on the* CHARTER ROLL *of* 28 *Edw. I. No.* 25, *on that Roll.*

Like CHARTERS *of* INSPEXIMUS *of this Date, under the Great Seal, are preserved in the Archives of* DURHAM CATHEDRAL *and* ORIEL COLLEGE, OXFORD; *these agree very exactly with the Text as now printed from the Charter Roll; except that they begin with the Name and Title of the King at length, and vary a little in spelling the Names of some of the Witnesses.*

The Various Readings noted at the Bottom of this Charter are from Carta de Foresta, 9 *Hen. III. as printed in Pages* 26, 27, *of this Series of Charters: They shew in what Instances that Charter differs from the Recital in this Charter of Inspeximus. Among the Names of the Bishops who are Witnesses to the Confirmation,* J. Norwycens̄, *ought to follow* J. Roff̃, *as in Magna Carta* 28 *Edw. I. This Name is omitted on the Roll, but is found in the Charters under Seal.*

XX. CARTA CONFIRMATIONIS, REGIS EDWARDI, I. ANNO REGNI XXIX. A.D.MCCC-I. - - - 44

THE TEXT *is printed from* THE CHARTER, *with the Great Seal remaining annexed, preserved in the* BODLEIAN LIBRARY *at* OXFORD, *MS. Furney, No.* 8, *from which the Copy in Blackstone's Charters, Quarto Edition, pages* 85, 86, *was printed.*

CARTA
REGIS HENRICI.

ANNO REGNI PRIMO.

A.D. MCI.

INSTITUTIONES HENRICI REGIS.

[ANNO Incarnationis dñicæ M.CI. Henricus fili⁹ Willelmi Regis post obitū fr̃is sui Willelmi, Dei gr̃a Rex Angloꝝ om̃ibꝫ fidelibꝫ Sal.[1]] Sciatis me Dei misc̃dia & cōmuni consilio ([2]) Baronū [toci⁹[3]] regni Angliæ ejusdē ([4]) regē coronatū esse. Et q'a regnū oppressū erat injustis exactionibꝫ, Ego Dei respectu, & amore quē erga vos ([5]) habeo, sc̃am Dei eccl̃iā inp'mis liberā facio; Ita q°d nec vendā nec ad firmā ponā, nec mortuo Archiep̃o, [sive[6]] Ep̃o, [sive[7]] Abbate, aliq'd accipiā de dñio Eccl̃ie vel [de[8]] hominibꝫ ej⁹ donec Successor in eā ingrediat'; & om̃is malas consuetudines quibꝫ regnū Angliæ [injuste[9]] opprimebatur, inde aufero: Quas malas consuetudines ex parte [hic pono.[10]]

D' releviis dandis. *R.* 2.

Si quis [Baronū Comitū meoꝝ[11]] sive alioꝝ q' de me tenent mortuus fuerit, hæres suus n̄ redimet terrā suā sicut faciebat tempore fr̃is mei, sed justa & legitima [relevatione relevabit[12]] eā. Similit⁹ & hōies Baronū meoꝝ justa & legitima [relevatione relevabunt[13]] terras suas de Dñis suis.

D' mulieribꝫ maritand. *R.* 2.

Et si quis Baronū ([14]) vel [alioꝝ[15]] hominū meorū filiā suā [nuptū[16]] tradere voluerit, sive sororē sive [neptī[17]] sive cognatā, mecū inde loq^a^tur. Sed neq; ego aliq'd de suo ꝑ hac licencia accipiā, neq; defendā ei quin eā det, excepto si [ea[18]] vellet jungere inimico meo. Et si mortuo barone ([19]) [sive[20]] alio homine [meo[21]] filia hæres remanserit, illā dabo consilio baronū meoꝝ cū terra sua; & si mortuo [viro[22]] Uxor [ej⁹[23]] remanserit, & sine liberis fuerit, [dotē suā & maritationē[24]] habebit, & eā non dabo marito n' sc̃dm velle suum.

D' custode t̃re & h̃edis mortuo tenente R̃. *R.* 2.

Si v° Uxor cū liberis remanserit, dotē q'dē & maritationē ([25]) habebit dū ([26]) corpus suum legitime [servaverit,[27]] & eā non dabo nisi sc̃dm velle suū. Et t̃ræ & liberoꝝ custos erit sive Uxor, sive ali⁹ [ꝑpinquari⁹[28]] qui [justi⁹[29]] esse [debeat:[30]] & p̃cipio ut barones mei [similit⁹[31]] se contineant erga filios [&[32]] filias vel uxores hominū suorum.

Monetagiū cōmune q°d capiebat' ꝑ civitates & ([33]) comitat⁹, q°d non fuit tēpore Regis Eduuardi, hoc ne amodo [sit[34]] om̃ino defendo. Si q's capt⁹ fuerit sive monetari⁹ sive ali⁹ cū falsa moneta, justicia recta inde fiat. Om̃ia placita, & om̃ia debita quæ fr̃i meo [debebant'[35]] condono, exceptis rectis firmis [meis,[36]] & exceptis illis quæ pacta erant ꝑ alioꝝ hereditatibꝫ, vel ꝑ eis rebꝫ quæ justius aliis contingebant. Et si q's [hereditate sua aliq'd[37]] pepigerat illud condono, & om̃is [relevationes[38]] quæ ꝑ rectis [hereditatibꝫ[39]] pacte [fuerant.[40]]

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1 { Henricus dei gr̃a Rex Angloꝝ, om̃ibꝫ Baronibꝫ & fidelibꝫ suis Francis & Anglis, Salt̃. *R.* 1.
enric⁹ Rex Angloꝝ Samsoni Ep̃o & Ursoni de Abecot & om̃ibꝫ baronibꝫ et fidelibꝫ suis tā francigenis q^a^m Angliḡ de Wirecestrescira, Salm. *R.* 2.

2 & assensu *interl. R.* 1.
3 *deest R.* 1; *R.* 2.
4 regni *R.* 1; *R.* 2.
5 om̃s *R.* 1.
6 seu *R.* 2.
7 vl̃ *R.* 1.
8 *deest R.* 1.
9 *deest R.* 1.
10 suppono *R.* 1.
11 Baronū meoꝝ Comitum *R.* 1; *R.* 2.
12 revelac̃oe revelabit *R.* 2.
13 revelatione revelabunt eam *R.* 2.
14 meoꝝ *R.* 2.
15 *deest R.* 1.
16 nubitum *R.* 1.
17 neptē *R.* 1; *R.* 2.
18 eam *R.* 1; *R.* 2.
19 m̃o *R.* 2.
20 vl̃ *R.* 1; *R.* 2.
21 *deest R.* 1; *R.* 2.
22 marito *R.* 1; *R.* 2.
23 *deest R.* 2.
24 dotem & maritac̃onem suam *R.* 1.
25 suam *R.* 1;—*R.* 2. *interl.*
26 uxor *R.* 1.
27 s̃vabit *R.* 1.
28 ꝑpinquoꝝ *R.* 1; *R.* 2.
29 justus *R.* 1.
30 debebit *R.* 1; *R.* 2.
31 similr̃ similr̃ *R.* 2.
32 vl̃ *R.* 1; *R.* 2.
33 ꝑ *R.* 1; *R.* 2.
34 fiat *R.* 1.
35 debent' *R.* 1.
36 *deest* R. 2.
37 { aliquid ꝑ hr̃ditate sua *R.* 1.
ꝑ h̃editate sua aliquid *R.* 2.
38 revelationes *R.* 2.
39 h̃editationibꝫ *R.* 2.
40 erant *R.* 1.—sunt erant *R.* 2.

Carta
HENRICI, I.

Et si q[is] baronū vel hominū meoꝝ infirmabit[r], sicut ipse dabit, vel dare disponet pecuniā suā, ita datam esse concedo. Quod si ipse p̄vent[9] (1) armis vł infirmitate pecuniā suam n̄ dederit, [vel[2]] dare disposuerit, Uxor sua sive liberi aut parentes [&[3]] legitimi homines ej[9] [eam[4]] p̄ anima ej[9] dividant sicut eis meli[9] visum fuerit.

Si q[is] (5) forisfecrit n̄ dabit vadiū in miscdia (6) pecuniæ (7) sicut faciebat tēpore patris [mei[8]] [vel[9]] frīs mei, sed scdm modū forisfacti ita emendabit, sicut emendasset retro a tēpore patris mei (10) in tēpore alioꝝ antecessoꝝ meoꝝ. Quod si p̄fidiæ vł sceleris convict[9] fuerit, sicut justū [fuerit[11]] sic emendet.

De 9firmatiōe legū Edwardi Regis. *R.*1.

Murdra etiā retro ab [illo[12]] die qua in regē coronat[9] fui [oīnia[13]] condono; & ea que am[o] facta fuerint juste [emendent[r][14]] scdm lagā Regis Eduuardi.

[Forestas oīni[15]] consensu Baronū meoꝝ in manu mea [retinui,[16]] sicut pat[r] n̄is [eas[17]] habuit.

Militib; qui p̄ loricas t̄ras suas [defendunt,[18]] t̄ras dn̄icarū carrucarū [suarum[19]] quietas ab oīnib; [gildis,[20]] & (21) oīni ope, [p̄prio[22]] dono meo concedo, [ut sicut tā magno allevamine alleviati sunt,[23]] ita se eq[is] & armis bene instruant (24) ad servitiū meū & ad defensionē regni mei.

[Pacē firmā in toto regno meo pono & teneri amodo p̄cipio.[25]]

Lagā Eduuardi regis vobis reddo cū illis emendationib; quib; pater n̄is eam emendavit (26) consilio baronū suorum.

Si q[is] aliquid [de reb; meis[27]] vel de reb; alicuj[9] post obitū Willelmi Regis frīs mei cæpit totū cito [sine emendatione reddat[r].[28]] Et si q[is] inde aliq[id] retinuerit, ille sup quē inventū fuerit, michi graviter emendabit. [T. M. Londoniæ Epō, & Gundulfo Epō, & Willelmo electo Epō, & Henrico Comite, & Siīn Comite, & Walt Giffardo, & Rodbto de Monfort, & Rogero Bigoto, & Henrico de Portu, apd Londoniā quando fui coronatus.[29]]

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[1] vł *R.*1; *R.* 2. [2] nec *R.*1; n[e] *R.* 2. [3] aut *R.*1; *R.* 2. [4] *deest R.*1.
[5] baronum vł hominn meoꝝ *R.*1; *R.* 2. [6] tocius *R.*1. [7] sue *R.*1; *R.* 2.
[8] *deest R.* 2. [9] & *R.*1. [10] & frīs mei *R.*1. [11] eī *R* 1.
[12] illa *R.*1; *R* 2. [13] oīo *R.* 2. [14] emēdet[r] *R.* 2.
[15] Forestas cōi *R.*1. Forestes cōmuni *R.* 2. [16] sic retinui *R.*1.—ita tenui *R.*2.
[17] *deest R.* 2. [18] deserviunt *R.*1; *R.* 2.
[19] *deest R.* 2. [20] geldis *R.* 2. [21] ab *R.*1; *R.* 2. [22] *deest R.* 2.
[23] ut sicut benignitas mea p̄pensior est in eis, ita m[i] fideles sint; et sicut tam magno g[a]vamine allevati sunt *R.*1. ut sicut tam magno g[a]vamine allevati st *R.* 2.
[24] ut apti & parati sint *R.*1; *R.* 2. [25] *deest hæc clausula R.*1.
[26] cū *R.* 2. [27] de meo *R.*1.—de nio *R.* 2.
[28] reddat absq; emendacione *R.*1. reddat[r] absq; emendacōne *R.* 2.
[29] Testib; Archiep̄is, Ep̄is, Baronib;, Comitib;, Vicecom et optimatib; tocius regni Angt apud Westm qn̄ coronatus fui. *R.*1. Teste Maur London Epō, & Witto elco Wintoñ Epō, & Gerardo heford Epō, & Henr Comite, & Simone Comite, & Walto Gifardo, & Robto de Munford, & Rogo Bigodo, & Eudone dapifo, & Robto fit Hamonis, & Robto Malet apud Westm qn̄ coronat[9] fui. Valē. *R.* 2.

Carta Stephani Regis de Libertatibus Ecclie Angl. & Regni.

Ego Stephs dei gra assensu cleri & populi i regē Anglor electꝰ. & W. cantuar archiepo & scē Romane ecclie legato gsedē. & abbi scē romane sedis pontificē gfirmā. respectu & amore dei & scē ecclie libāt ee. gredo. & dilectā illi gfirmo. Hoc me i ecclia ut reb ecclasticis simoniace actis. ut pmissum ee. p manū ecclasticā psonaꝝ. & oīe clericē. & regni eoꝝ. Justicā. & pceptē. & districtē honoꝝ ecclasticoꝝ. i manu epi ee. ghibee. & gfirmo. Dignitates ecclarū pulegus earū gfirmas. & sicut earū antiq̄ tenore habeāt. immolate manē sedeo. & cedo. Dns ecclar i possessiones. & tenuras & de illa hā bunt & W. rex auus ms fuit unus. & mater. sine ꝺi calūpniarū reclamatiē. ac libas. & absolutas ee. gredo: Sīd ū debuerā ut possessū ā mortē ei⁹ regis. & ū expta ecclia. deraḡs repetere indulgentie. & dispensatōi mee. ut restituendi. ut discutiendi reseruo. Quecūq ū p matrē ipsi regi libaliter regi. ut largitione pncipū. oblatōe ut copatiē. ut q̄libet ⁊sumptē fidelit⁹ ei collata sē. & firmo. Pace. & Justicā. me ināb succurre. & posse meo. seruaturū ei⁹ p mutuo forcebi⁹ & W. auus ms. & W. auunculꝰ ms in tractē. & huḡ. in reserno. Cetā omīs & rex. h. superadditā. ecclas & regno & eccis reddo. & gredo. Sīd⁹ epī ut abbes. ut alia ecclasticar psonā. ā mortē sua rationabiliter sua distributa. ut distribuendi. & tenere. & firmare manē & gredo. Si ū mortē occupare fuerit. & future die ei. ecclie assilo eadē fiat distributio. Si ū sedes epis pastorib⁹ uacare fuerit. ipse & cetu & possessiones omīs & manu & custodia claudi ut ppoz hōm eidē ecclie & marti. & donec pastor canonice substituat. Os exactiones & Injustas. & Oblationes & inuasiones. sue p uiee. ut & alios & siby male inductas. & fundo ecclarū. Bonas leges & antiq̄s. & usitat & sicut. in mdo. & plat & alus causis ob seruādo. & obseruare papio. & firmo. Et ita gredo. & gfirmo. Salua regia & iusta dignitate mea. Ego W. cantuar. & archiepo. & Hugo Bath archiepo. & Hugo Lincol epo. & Rogo Sar epo. & Aluic epo. & Hug Cicestr epo. & Engelg Herefordē epo. & Sim Wigorn epo. & Bern epo de S. Da- & Audoen ebroic epo. & Ric Abrinc epo. & Rob horeph epo. & Stoe Rochē epo. & Archidiacon cantuar epo. & Rogo cane. & Hugo nep Regis. & Rob com Gloec. & Witto com de Warenna. & Willm com ceste. & Rob com de Warewic. & Robto & de Vēr & Gilon de Bloec. & Ricard fit com. & Robto de Oili. constabul. & Witto mar. & Hug bigot & Hunfrid de Bohun. & Sim de Belcap dapifer. & Witto de Albin & Eudon mard pincern. & Rob de Fossar. & Witto pincē de Hoang th. & Sim de Sanctis. & W. de Albam. & Pet fit Herb. & Hugo de Sco Claro. & Robto de Lucio. Ap Oxenef. Anno ab Incarnatione dni. M. C. xxxv. Se regni mei primo.

CARTA
REGIS STEPHANI.

ANNO REGNI PRIMO.

A.D. MCXXXVI.

[a] In dorso Cartæ.

CARTA STEPHAN̄ REG̃ de Lib̄tatib3 Eccl̄ie Angl̄, & Regni.[a]

EGO Stph̄s đi gr̃a assensu cleri & popl̄i ī regē [angloꝝ [1]] elect⁹, & a W. Cantuar̃ Archiep̃o, & Sc̃e Romane eccl̄iæ legato ꝯsecᵘt⁹, & ab Innoc̃ sc̃e romane sed̄ pontifice ([2]) ꝯfirmat⁹; respectu & amore đi sc̃ā eccl̄iā lib̄ā ẽe, ꝯcedo, & debitā reventiā illi ꝯfirmo. Nich̄ me ī eccl̄ia, vl̄ reb⁹ eccl̄iasticis simoniace acturū, vl̄ p̄missurū [ẽe [3]] p̄mitto. Eccl̄iasticarū p̄sonarū & õiū clericoꝝ, & rerū eoꝝ Justiciā & potestatē & distⁱbutiōē [Honoꝝ [4]] eccl̄iasticoꝝ ī manu ep̃oꝝ ẽe, p̄hibeo & ꝯfirmo. Dignitates eccl̄iarū pⁱvilegiis earū ꝯfirmatas, & ꝯsuetud̄ earū antiqᵒ tenore habitas; inviolate man̄e statuo & cōcedo. Om̄s eccl̄iarū possessiōes & tenuras qᵃs die illa habuer̃t qᵃ [W. rex avus m̄s [5]] fuit vivus & mort⁹; sine õi calūpniantiū reclamatiōe, eis lib̄as & absolutas ẽe, ꝯcedo: Si qⁱd vᵒ de habitis vl̄ possessis an̄ mortē ej⁹dē regis, qⁱb⁹ mᵒ careat eccl̄ia, deinceps [repetierit,[6]] indulgentiæ & dispensatiōi meæ, vl̄ restituendū vl̄ discutiendū reservo. Quec̃q, vᵒ p⁹ mortē ipsi⁹ reg̃ lib̄alitate regū, [vl̄ [7]] largitiōe pⁱncipū, oblatiōe [vl̄ [8]] cōpatiōe, vl̄ qᵃlibet tᵃnsmutatiōe fideliū eis collata s̃t, ꝯfirmo. Pacē & Justiciā, me in õib⁹ facturū, & p̄ posse meo, ꝯservaturū eis p̄mitto. Forestas qᵃs [W.[9]] avus m̄s & [W.[10]] avuncl̄s m̄s instituer̃t & [h̄uer̃t,[11]] ([12]) mⁱ reservo. Cet̄as ([13]) om̄s qᵃs rex H. supaddidit; eccl̄iis & regno [qⁱetas [14]] reddo & ꝯcedo. Si qⁱs ([15]) ep̃s vl̄ abbas, vl̄ alia eccl̄astica p̄sona, an̄ mortē suā [ratiōabilit̄ sua [16]] distⁱbuerit, vl̄ distⁱbuenda statuerit; firmū man̄e ꝯcedo. Si vᵒ morte p̄occupat⁹ fuerit; p̄ salute āiæ ej⁹, eccl̄ie ꝯsilio eadē fiat distⁱbutio: Dū vᵒ sedes p̄pⁱis pastorib⁹ vacuæ fu̅int; [ipsas [17]] & earū possessiōes om̄s ī manu & custodia cl̄icorū vl̄ p̄boꝝ hōiū ej⁹dē eccl̄iæ [ꝯmittā; [18]] donec pastor canonice substituatʳ. Os̃ exactiōes & Injusticias, & Mescheningas, sive p̄ vicec̃, vl̄ [p̄ [19]] alios qᵒslib& male inductas; fundit⁹ exstirpo. Bonas Leges & antiqᵃs, & justas ꝯsuetud̄, in mʳdr̃, & plac̃, & aliis causis observabo & observari p̄cipio, & ꝯstituo. Hᵛ ([20]) oĩa ꝯcedo, & ꝯfirmo, salva regia & justa dignitate mea. Tᶻ. W. cantuar̃ archiep̃o, & Hug̃ Roth̄ archiep̃o, & Henr̃ Wint̃ ep̃o, & Rog̃o Sar̃ ep̃o, & A. Linc̃ ep̃o, [& Nig̃ Eliens̃ ep̃o,[21]] & Evrard̄ Norwic̃ ep̃o, & [Sim̄ Wigorn̄ ep̃o,[22]] & Bern̄ ep̃o [de S. đđ.[23]] & [Audoen̄ ebroic̃ ep̃o,[24]] & Ric̃ Abrinc̃ ep̃o, & Rob̄ Heref̃ ep̃o, & Joh̄e Rouec̃ ep̃o, & Athelulf̃ carlol̄ ep̃o, & Rog̃o Canc̃, & Henr̃ nep̃ Regis, ([25]) & Rob̄ Com̄ Gloec̃, & Will̄o Com̄ de Warenna, & Rann̄ Com̄ Cestr̃, & Rob̄ Com̄ de Warewic, & [Rob̄to & de Ver̃,[26]] & Milon̄ de Gloec̃, & Brient̃ fil̄ Com̄, & Rob̄to de Oilli, Conestab̄l̄is, & Will̄o mart̃, & Hug̃ bigot̃, & [Hunfr̃ de Buhun̄,[27]] & [Sim̄ de Belcāp [28]] [dapifer̃,[29]] & Will̄o de Albin̄ & Eudon̄ mart̃ [pincern̄,[30]] & Rob̄ de ferrer̃, & Will̄o [peur̃,[31]] [de Notingeh̄,[32]] & [Sim̄ de Saintliz,[33]] & W. de [Albain̄ [34],] & Pag̃ fil̄ Joh̄is, & Ham̄ de sc̃o Claro, & [Ilb̄to [35]] de Laceio. Ap̃ Oxenef̃ ANNO [AB INCARNATIONE DN̄I [36]] M.C.xxxvj. [S3 Regni mei primo.[37]]

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[1] Anglie *C.* [2] postmodum *H.C.* [3] *deest C.* [4] bonoꝝ *C.*
[5] { Willelmus avus meus rex Angl̄ *H.* / Will̄s Rex Angl̄ avus meus *C.* } [6] repecierit *H.C.* [7] *deest H.C.*
[8] *deest H.* [9] Willelmus rex *H.C.*
[10] Willelmus secundus *H.C.* [11] tenuerunt *H.* [12] illas *C.*
[13] vero *H.* [14] quiete *C.* [15] autē *C.* [16] sua rationabiter *H.*
[17] ipsæ *H. C.* [18] committantur *H.C.* [19] *deest H.* [20] vero *H.C.*
[21] *desunt H.* [22] S. Episcopo Wirec̃, *H.C.* [23] Sancti David, *H. C.*
[24] { A. Episopo Ebr̃, *H.* / And̄ Ep̃o Eborac̃, *C.* } [25] et R. de Fisc̃, *H.* [26] Rob. de Ver̃, *H*: R. de Ver̃, *C.* [27] { V. de Buh̄, *H.* / Humfr̃ de Bohun, *C.* }
[28] S. de Belloc̃ *H.C.* [29] dapiferis *C*: dap̃ *H.* [30] Pinc̄nis *C*: Linc̃ *H.* [31] Penr̃, *H.*
[32] *desunt H. C.* [33] { S. de Sancto Licio, *H.* / S. de Silva Necti, *C.* } [34] Albam̄, *H.* [35] J. *H.*
[36] Dominicæ Incarnacionis *H.* [37] in communi concilio *H.*

CARTA
REGIS STEPHANI.

Stephus dei gracia Rex Angł, Justic̃, Vic̃ Baronibꝫ & omnibꝫ Ministris & fidelibus suis francis & anglicis salutem. Sciatis me concessisse & p̃senti carta mea confirmasse omnibꝫ Baronibꝫ & hõibꝫ meis de Anglia omnes libertates & bonas leges quas Henr̃ Rex Angł avunculus meus eis dedit & concessit & omnes bonas leges & bonas consuetudines eis concedo quas hꝫerunt tempore Regis Edwardi. Quare volo & firmiter precipio qd̃ hꝫeant & teneant omnes illas bonas leges & libertates de me & heredibꝫ meis ip̃i & heredes sui libere, quiete & plenarie, et prohibeo ne quis eis sup̃ hiis molestiam vel impedimentū, vel diminucionem faciat sup̃ forisfc̃uram meam. Teste Willo Martel apud Londoñ.

CARTA
REGIS HENRICI, II.

Carta R. H. scdñi facta cõitati Regni.

Henricus dei gr̃a Rex Angł Dux Normannie & Aquit̃ [& [1]] Comes Andegavie, [omnibꝫ Comitibꝫ,[2]] Baronibꝫ & fidelibꝫ suis francis & Anglicis salutem. Sciatis me ad honorem dei & sc̃e ecc̃ie & pro cõi emendacione tocius Regni mei concessisse & reddidisse & presenti carta mea confirmasse deo & sc̃e ecc̃ie & omnibꝫ Comitibꝫ & Baronibꝫ & omnibꝫ hominibꝫ meis omnes [concessiones & donaciones & libertates & liberas[3]] consuetudines quas [Rex[4]] Henr̃ avus meus eis dedit & concessit. Silr eciam omnes malas consuetudines q̃s ip̃e delevit & remisit, ego remitto & deleri concedo pro me & her̃ mes. ¶ Quare volo & firmiter p̃cipio qd̃ sc̃a ecc̃ia & omnes Comites & Barones & omnes mei hõies, omnes illas consuetudines & donaciones & libertates & liberas consuetudines hꝫeant & teneant libere & quiete, bene & in pace & integre de me & heredibꝫ meis, sibi & heredibꝫ suis adeo libere & quiete & plenarie in omnibꝫ sicut Rex Henric[9] avus meus eis dedit & concessit & carta sua confirmavit. T. Ric̃o de Luci [apud Westm̃.[5]]

1 2 3 4 5 } *desunt B.*

CARTA
REGIS JOHANNIS.

ANNO REGNI XVI.

A.D. MCCXIV.

CARTA JOHIS REGIS Ut lib̃e sint Electiones tocius Anglie.

JOHANNES Dei gracia, Rex Anglie, Dñs Yb̃nie, Dux Norm̃ & Aquitanñ, (1) Com̃ And̃, Archiep̃is, Ep̃is, Comitib3, Baronibus (2) Militibus, Ballivis, & omnibus has litteras visur̃ [vt auditur,3] Salutem. [Qm̃4] inter nos & venerabiles patres nostros Stephanum Cantuar̃ Archiep̃m, tocius Anglie Primatem, & Sancte Romane Ecclesie Cardinalem, Will'm Lond̃, Eustach̃ Elyen̄, Egydium Heref̃, [Goscelinū5] Bath̃ & Glastoñ, & Hug̃ Linc̃ Ep̃os, sup dampnis & ablatis (6) tempore Interdicti, p Dei graciam de mera & libera voluntate utriusq; ptis plene convenit: Volumus non solum eis quantum sc̃dm Deum possumus satisfacere, verum eciam toti Ecclesie Anglicane salub'ter & utiliter ippetuum providere: Inde est q; qualiscunq; consuetudo, temporibus nostris & predecessorum nostrorum hactenus in Ecclesia Anglicana fuerit observata, & quicquid juris nobis hactenus vendicavimus in electionibus quorumcūq; prelatorum, Nos ad peticionem ip̃orum pro salute anime nostre & predecessorum ac successorum nostrorum regū Anglie liberaliter mera & spontanea voluntate de cōmuni [consensu7] Baronum nostrorum concessimus & constituimus & h'c presenti Carta nostra confirmavimus; ut de cet̃o in uniṽsis & singul̃ ecclesiis & monasteriis cathedralibus & conventualibus tocius regni nr̃i Anglie libere sint imppetuū electiones quorumcūq; prelatoz̃ majoz̃ & minoz̃; salva nobis & heredibus nostris custodia ecclesiaz̃ & monast'rioz̃ vacanciū que ad nos ptinent. Promittimus etiam q̃ nec ipediemus, nec ipediri pmittem9 p nostros nec pcurabimus quin in singulis & uniṽsis ecclesiis & monasteriis memoratis postquam vacaṽint prelature qñcunq; voluerint libere sibi [proficiant8] electores pastorem. Petita tamen p'us a nobis & heredibus nostris [licenciam9] eligendi, quam non denegabim9, nec diff~emus. Et si forte q; absit denegarem9 vt diff~emus [pcedant nichilomin9 10] electores ad electionem canonicā faciendam; & sit̃ post celebratam etc̃oem noster requiratur assensus, quem [similiter11] non denegabim9, nisi aliquid racionabile pposuerimus & legittie pbaṽim9, p̃p qd̃ nō debeamus cōsentire. Quare volumus & firmiter [inhibem9 12] ne quis vacantib3 Ecc̃iis vt monasteriis cont̃a hanc nostram concessionem & constituc̃oem in aliquo veniat vel venire presumat. Si quis vero contra hoc aliquo unq̃m temp venit maledict̃oem omnipotentis Dei & nostram incurrat. [13Hiis Testibus, Pet'o Wynt̃ Ep̃o, Willo Mariscall Com̃ Penbrok̃, Willo Com̃ Warenñ, Rand̃ Com̃ Cestr̃, Saher̃ Com̃ Wintoñ, Gaufr̃ de Mandevill̃ Com̃ Gloucestr̃ & Essex̃, Willo Com̃ de Ferr̃, Willo Brewer̃, Warino fit̃ Geroldi, Willo de Cantilupo, Hug̃ de Nevil̃, Rob̃o de Ver̃, Willo de Huntingfeld. Data p manum Magistri Ricardi de Marisco, Cancellarii nostri, apud Novum Templum Londoñ vicesimo primo die Novembris anno regni nostri sexto decimo.13]

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1 & *R.* 2 & *R.* 3 *desunt R.* 4 Quoniam *IX. R.* 5 Jocelinū *R.*
6 eoz̃ *IX. R.* 7 concessensu *R.* 8 p̃ficiant *R.* 9 licencia *R.*
10 nichilominus pcedent *R.* 11 *deest R.* 12 jubemus *R.*
13 Hiis testib3. . Wyntoñ Ep̃o, W. Marescallo Comite Penbrocḥ, W. Comite Warannie, R. Comite Cestr̃, S.Comite Wyntoñ, G. de Clare Comite Glouc̃ & Essessie, W. Comite de Ferrariis, W. Briwer̃, W. filio Geroldi, W. de Cantilupo, H. de Newillis, Rob̃to de Veer, W. de Huntyngfeld. Dat̃ p manus Magistri Ric̃i de Mariscis Cancellar̃ nr̃i q'into decimo die Januar̃ apud Novū Templum Londoñ anno regni nr̃i sexto decimo. *R.*

Articuli Magne Carte Libertatum,

Sub Sigillo Regis Johannis.

A.D.MCCXV.

Ista sunt Capitula q̃ Barones petunt & dñs Rex concedit

§ Post decessum antecessoꝝ heredes plene etatis habebunt hereditatem suam ꝑ antiquum Relevium exp'mend in carta.

§ Heredes q' infra etatem sunt, & fūint ī custodia cum ad etatem ꝑveñint, ħebunt hereditatem suā sñ relevio & fine.

§ Custos terre heredis capiet rōnabiles exitus, consuetudines, & ꝰvitia sñ destructione & vasto hominū & rerū suaꝝ, & si custos ꝰre fecīt destructōm, & vastum, amittat custodiam & custos sustentabit domos, parcos, vivaria, Stagna, Molendina, & cetera ad ꝰram illam ꝑtinentia de exitibꝫ terre ejusd, & ut heredes ita maritent', ne disparagent' & ꝑ consilium ꝓpinquoꝝ de consanguinitate sua.

§ Ne Vidua det aliquid ꝑ dote sua, vł maritagio post decessum mariti sui, sꝫ maneat ī domo sua ꝑ xl. dies post mortem ipius, & infra ꝰminum illum assignet' ei dos, & maritagium statim ħeat & hereditatem suam.

§ Rex vł Balłs nō saisiet ꝰram aliq'm ꝑ debito dum catalla debitoris sufficiunt, nec plegii debitoris distringant' dum capitał debitor sufficit ad Solucōm. Si vero capitał debitor defecīt ī solutione, si plegii volūint hc̄ant ꝰras debitoris, donec debitū illud ꝑsolvat' plene, nisi capitalis debitor monstrare poſret se c̄e iñ quietum erga pleg̃.

§ Rex nō concedet alic' Baroni qd capiat auxilium de liħis hominibꝫ suis n' ad corp̄ suū redimendum, & ad faciend p'mogenitū fił suū Militem, & ad p'mogenitā filiā suā semel maritandā, & hoc faciet ꝑ rōnabile auxilium.

§ Ne aliquis maj̄ servitiū faciat de feodo militis q'm inde debet'.

§ Ut cōmunia placita nō seq'nt' curiā dñi Reg̃, sꝫ assignent' ı aliquo certo loco, & ut recognitōnes capiant' ī eisd Comitatibꝫ ī hunc modum ut Rex mittat duos Justic̄ ꝑ iiij'or vices ī anno q' cum iiij'or militibꝫ ejusd Comitatus electis ꝑ Comitatū capiant assisas de nova dissaisina, ꝛnorte añcessoris & ultima ꝑsentatione, n' aliq's ob hoc sit sūmonitus n' juratores & due ꝑtes.

§ Ut liħ homo amerciet' ꝑ ꝑvo delicto, scdm modum delicti, & ꝑ magno delicto, scdm magnitudinem delicti Salvo contineñito suo. Villan̄ etiā eod modo amerciet' salvo waynagio suo, & Mercator eodem modo salva marcandisa ꝑ Sac'mentum ꝓboꝝ hominū de visneto

§ Ut clicus amerciet' de laico feodo suo scdm modum alioꝝ ꝑdc̄oꝝ, & nō scdm ħnficium ecclasticum

§ Ne aliq' villa amerciet' ꝑ pontibꝫ faciendis ad Riparias nisi ubi de jure antiquitus c̄e solebant

§ Ut mensura Vini, Bladi, & latitudines pannoꝝ & Rerum aliaꝝ emendet', & ita de ponderibꝫ

§ Ut assise de Nova dissaisina & de morte añcessoris abbrevient', & simiłr de aliis assisis

§ Ut nullus Vic̄ intromittat se de placitis ad coronā ꝑtinentibꝫ sñ coronatoribꝫ, & ut Comitatus & Hundr̄ sint ad antiq'as fi;mas absq; nullo incremento exceptis dñicis maneriis Reg̃.

§ Si aliquis tenens de Rege moriatur, licebit Vic̄ vł alii Ballo Reg̃, seisire & ībreviare catallum ipius ꝑ visum legalium hominū, Ita tū qd nich iñ amoveat' donec plenius sciat' si deħat aliquod liquidum debitum dño Regi, & tunc debitū Reg̃ ꝑsolvat'. Residuū vero relinquat' executoribꝫ ad faciend testamentum defuncti, & si nich Regi debetur, oīnia Catalla cedant defuncto.

§ Si aliq's liħ hō intestat̄ decesserit, bona sua ꝑ manū ꝓximioꝝ parentum suoꝝ & amicoꝝ & ꝑ visum Ecclie distribuant'.

§ Ne Vidue distringant' ad se maritand dum voluerīt sñ marito vivere, Ita tñ qd securitatem facient qd non maritabunt se sñ assensu Reg̃ si de Rege teneant, vł dñoꝝ suoꝝ de q'bꝫ tenēt

§ Ne Constabulari̊ vł alius Ballivus capiat Blada vł alia Catalla nisi statim denaꝛ iñ reddat, n' respectū hr̄e possit de voluntate venditoris.

Graculi magne carte libratum
sub sigillo Reg. Johis.

Joh.

XXXIX:

Articuli Magne Carte Libertatum,

JOHANNIS.

§ Ne Constab̄ possit distringere aliq̄ militem ad dand̄ denar̄ ꝑ custodia castri si voluerit fac̄e c⁹todiā illā ī ꝑ'a ꝑ^a vł ꝑ alium ꝓbum hominem si ip̄e eam facere nō possit ꝑ rōb̄ilem cām & si Rex eum duxerit ī excercitū sit q'etus de custodia scd̄m̄ q^antitatem t̄pis

§ Ne Vic̄ vł Bałłs Reg̃ vł aliq's alius capiat eq^s vł Carettas alic⁹ lib̄i hominis ꝑ cariag̃ faciendo n' ex voluntate ip̄ius.

§ Ne Rex vł Bałłs suus capiat alienū Boscum ad castra vł ad alia agenda sua n' ꝑ voluntatem ip̄ius c⁹ Boscus ille fu̅it

§ Ne Rex teneat terram eoꝝ qui fu̅int convicti de felonia nisi ꝑ unum annū & unum diem, sȝ tunc reddat^r dn̄o feodi.

§ Ut om̄is Kidelli de ce̅to penit⁹ deponant^r de Tamisia, & Medewaye, & ꝑ totā Angł.

§ Ne br̄e quod vocat^r p̄cipe de ce̅to fiat alic' de aliq^o tenem̄to un̄ lib̄ homo amittat curiā suā

§ Si quis fu̅it disseisitus vł ꝓlongatus ꝑ Regē sn̄ juditio de t̄ris, lib̄tatibȝ, & jure suo, statim ei restituat^r, & si contentio suꝑ hoc orta fu̅it, tunc in̄ disponat^r ꝑ juditiū xxv. Baronū, & ut illi qui fu̅int dissaisiti ꝑ pr̄em vł fr̄em Reg̃, rectum h̄eant sine dilōne ꝑ juditiū parium suoꝝ ī Curia Reg̃, & si Rex debeat hr̄e t̄minum alioꝝ cruce signatoꝝ, tunc Archiep̄s & Ep̄i faciant inde juditiū ad certum diem appłłone remota.

§ Ne aliquid detur ꝑ brevi Inquisitionis de vita vł menbr̄, sȝ lib̄e concedat^r sn̄ p̄cio & nō neget^r.

§ Si aliquis tenet de Rege ꝑ feod̄ firmā, ꝑ Sokagium vł ꝑ Burgagium, & de alio ꝑ Servitiū militis, dn̄s Rex nō h̄ebit custodiā militū de feod̄ alt̄i⁹, occasione Burgagii vł Sokagii, nec debet hr̄e custodiam Burgagii Sokagii vł feod̄ firme, & qd̄ lib̄ homo nō amittat militiā suā occasione ꝑvarum s̄gantisarum sicuti de ił qui tenent aliquod tenem̄tum reddendo inde Cuttellos vł Sagittas vł huj⁹modi.

§ Ne aliq's Bałłs possit ponere aliquem ad legem, simplici loquela sua sn̄ testibȝ fidelibȝ.

§ Ne corpus lib̄i hominis capiat^r, nec imp'sonet^r, n^c dissaisiet^r, n^c utlaget^r, n^c exulet^r, n^c aliquo modo destruat^r, n^c Rex eat vł mittat suꝑ eum vi nisi ꝑ juditiū parium suoꝝ vł ꝑ legē terre.

§ Ne jus vendat^r, vł differrat^r, vł vetitum sit.

§ Qd̄ Mercatores h̄eant salvū ire & venire ad emendū vł vendendū sn̄ om̄ibȝ malis toltis ꝑ antiq's & r^ctas consuetudines.

§ Ne Scutagium vl auxilium ponat^r ī Regno n' ꝑ cōmune consilium Regni n' ad corp⁹ Reg̃ redimendū, & p'mogenitum fił suū militē faciend̄, & filiā suā p'mogenitā semel maritandam, & ad hoc fiat rōnabile auxilium. Simili modo fiat de taillag̃ & auxiliis de Civitate London̄ & de aliis Civitatibȝ que in̄ hn̄t lib̄tates, & ut Civitas London̄ plene h̄eat antiq^as lib̄tates & lib̄as consuetudies suas tam ꝑ aq^as q^ā *per terras*.

§ Ut liceat unicuiq̄ exire de Regno & redire, salva fide dn̄i Reg̃, n' tempe Werre ꝑ aliquod breve tempus ꝓpt̄ cōmunem utilitatem Regni.

§ Si quis mutuo aliquid accepit a Judeis plus vł min⁹ & moriat^r anteq' debitum illud solvat^r, debitum nō usurabit q̄^ādiu heres fu̅it infra etatem de quocunq̄ teneat & si debitū illd̄ inciderit ī manū Reg̃, Rex nō capiet n' catallum quod continet^r ī carta.

§ Si quis moriat^r & debitum debeat Judeis, uxor ejus h̄eat dotem suam, & si lib̄i remanserint, ꝓvideant^r eis necessaria sc̄d̄m tenem̄tum, & de Residuo solvat^r debitum, salvo servitio dnoꝝ. Simili modo fiat de aliis debitis & ut custos t̄re reddat heredi cum ad plenā etatem ꝓven̄it t̄ram suā instauratā scd̄m qd̄ ronabilr pot̄it sustinere de exitibȝ t̄re ej⁹d̄ de carucis & Wainnag̃.

§ Si quis tenuerit de aliq^a Eskaeta, sicut de honore Walingeford̄, Notingeham, Bonon̄, & Lankastr̄, & de aliis Eskaetis q̄ sunt ī manu Reg̃, & sunt Baronie, & obierit, heres ejus nō dabit aliud relevium vł faciet Regi aliud servitiū, q^a faceret Baroni, & ut Rex eod̄ modo eam teneat, quo Baro eam tenuit.

§ Ut fines qui fc̄i sunt ꝑ dotibȝ, Maritagiis, hereditatibȝ, & amerciamentis ījuste & cont^a legem terre, omnino condonent^r, vł fiat inde ꝑ juditiū xxv. Baronū vł ꝑ juditium majoris ꝑtis eoꝝdem una cum Archiep̄o, & aliis quos secum vocare voluerit. Ita qd̄ si aliquis vł aliqui de xxv. fu̅int in simili querela, amoveantur, & alii loco illorum per residuos de xxv. sb̄stituant^r.

§ Q^ obsides & carte reddantur que lib̄ate fuer̄t Regi in securitatem.

§ Ut illi qui fu̅int ex^a forestā nō veniant coram Justic̄ de foresta ꝑ cōmunes sūmonitōes nisi sint ī placito, vł plegii fu̅int, & ut p^ave consuetudines de forestis & de forestariis & Warenniis & Vic̄, & Rivar̄ emendentur ꝑ xii. milites de quolibet Comitatu qui debent eligi ꝑ ꝓbos homines ejusdem Comitat⁹.

Articuli Magne Carte Libertatum,

JOHANNIS.

§ Ut Rex amoveat penitus de Ballia ꝑentes & totam sequelam Gerardi de Atyes qđ de ceꝰo Balliam nō ħeant, scꝫt, Engelardū, Andř, Petř & Gyonem de Canceꝫ, Gyonem de Cygoñ Matħ de Martiny & frēs ejus, & Galfř nepotem ejus, & Philippum Mark.

§ & ut Rex amoveat alienigenas, milites stipendiarios, Balistarios & Ruttarios & Servientes qui veniunt cum equis & armis ad nocumentū Regni.

§ Ut Rex faciat Justič, Constabulař, Vič, & Baꝫos de talibꝫ qui sciant legem terre & eam bñ velint observare.

§ Ut Barones qui fundaverunt Abbatias unde ħnt cartas Regum vꝫ antiqᵃm tenuram, ħeant custodiam earum cum vacaverint.

§ Si Rex Walenses dissaisierit vꝫ elongaverit de terris vꝫ liꝺtatibꝫ vꝫ de Rebꝫ aliis in Angꝫ vꝫ in Wallia, eis statim sñ placito reddantʳ, & si fūint dissaisiti vꝫ elongati de teneñtis suis Angꝫ ꝑ přem vꝫ frem Reg̃ sñ juditio parium suoꝝ, Rex eis sñ dilc̄one justitiā exhibebit eo modo quo exhibet Anglicis justiciam de tenementis suis Angꝫ, scđm legem Angꝫ, & de teneñtis Waꝫ scđm legem Waꝫ, & de teneñtis Marchie, scđm legem Marchie. Idem facient Walenses Regi & suis.

§ Ut Rex reddat filium Lewelini, & ꝑterea oñs Obsides de Wallia & cartas que ei liꝺate fuerꝫt in securitatem pacis

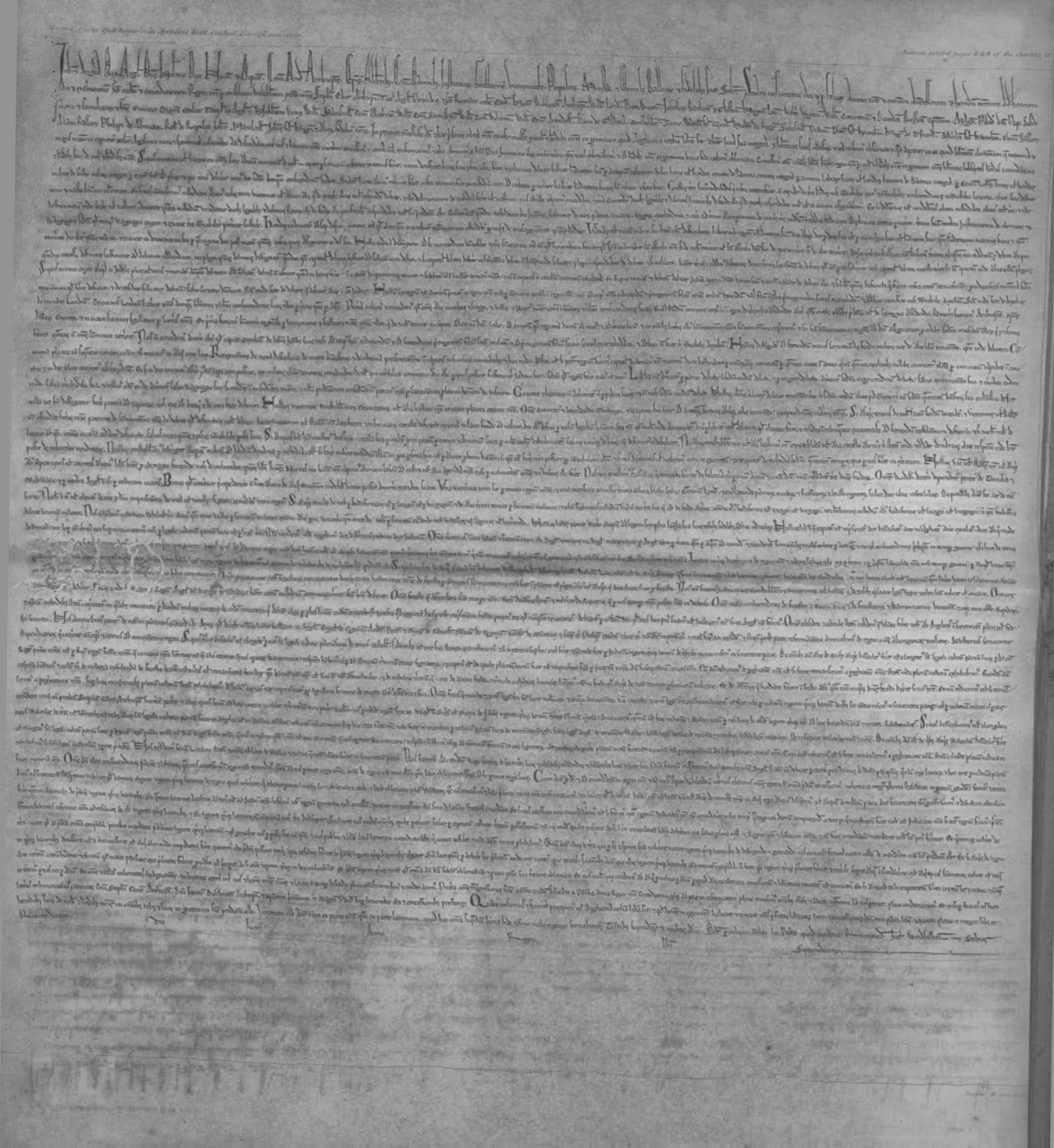
§ Ut Rex faciat Regi Scotř de Obsidibꝫ Reddendis & de liꝺtatibꝫ suis & jure suo scđm formā qᵘm facit Baronibꝫ Angꝫ

} nⁱ aliꝰ ce debeat ꝑ cartas qᵃs Rex ħt ꝑ Juditiū Archieꝑi & alioꝝ quos secum vocare voluerit.

§ Et oñs foreste que sunt aforestate ꝑ Regem tempe suo deafforestentʳ, & ita fiat de Ripariis que ꝑ iꝑm Regem sunt in defenso

§ Oñs auꝫ istas consuetudines & liꝺtates qᵃs Rex concessit Regno tenendas qᵘntum ad se ꝑtinet erga suos, omnes de Regno tam clici qᵃm laici observabunt qᵘntū ad se ꝑtinet erga suos

§ Hec est forma Securitatis ad observandum pacem & libertates Inꝰ Regem & Regnum. Barones eligent xxv. Barones de Regno quos voluerint, Qui debñt ꝑ totis viribus suis observare, tenere, & facere observari pacem & liꝺtates qᵃs dñs Rex eis concessit & carta sua confirmavit. Ita videlicet qđ si Rex vꝫ Justič, vꝫ Ballivi Reg̃ vꝫ aliqⁱs de Ministⁱs suis ī aliquo erga aliquem deliquerit, vꝫ aliquem articuloꝝ pacis aut Securitatis tⁱnsgressus fūit, & delictum ostensum fūit iiij.ʳ Baronibꝫ de predčis xxv. Baronibꝫ, illi iiij.ʳ Barones accedent ad dominum Regem vꝫ ad Justič suum si Rex fūit extᵃ Regnum ꝓponentes ei excessum petent ut excessum illum sñ dilatione faciat emendari, & si Rex vꝫ Justič ejus illud nō emendaverit si Rex fūit exᵃ Regnum infra rōnabile tempᵒ determinandum ī carta ꝓdči iiij.ʳ referent cām illam ad Residuos de iħ xxv. Baronibꝫ, & illi xxv. cum cōmuna totiᵒ ꝟre distringent & gᵃvabunt Regem modis omnibꝫ quibꝫ poterunt, Scꝫt ꝑ captionem castroꝝ, ꝟrarum, possessionum, & aliis modis quibꝫ poteřt donec fūit emendatum scđm arbitⁱum eoꝝ, Salva ꝑsona dñi Reg̃, & Regine, & liberoꝝ suoꝝ, & cum fūit emendatum, intendant dño Regi sicut prius. Et quicumq, volūit de ꝟra jurabit se ad predča exequenda pariturum mandatis ꝓdčoꝝ xxv. Baronū, & gᵃvaturum Regem ꝑ posse suo cum iꝑis & Rex pubblice & libere dabit licentiā jurandi cuilibet qui jurare voluerit, & nulli umqᵃ jurare ꝓhibebit. Oñs autē illos de ꝟra qui sponte sua & ꝑ se noluerint jurare xxv. Baronibꝫ de distringendo & gᵃvando Regem cū eis, Rex faciet jurare eosdem de mandato suo sicut predčm est. Item si aliquis de ꝓdčis xxv. Baronibꝫ decesserit vꝫ a terra recesserit vꝫ aliquo modo alio impeditus fūit quominᵒ ista ꝓdča possint exequi, qui residui fūint de xxv. eligent alium loco iꝑius ꝑ arbitrio suo qui simili modo erit juratus quo & ceteri. In oīnibꝫ autem que istis xxv. Baronibꝫ cōmittuntʳ exequenda, si forte iꝑi xxv. ꝓsentes fūint & inꝰ se sup re aliqᵃ discordaverint, vel aliqui ex eis vocati nolint vꝫ nequeant interesse, ratum ħebitʳ & firmū qđ major ꝑs ex eis ꝑviderit vꝫ precepit, ac si oñs xxv. in hoc consensissent, & predči xxv. jurabunt qđ oīnia antedča fideliᵒ observabunt, & ꝑ toto posse suo facient observari. Preterea Rex faciet eos securos ꝑ cartas Archieꝑi & Eꝓoꝝ & Magři Pandulfi qđ nicħ impetrabit a dño ppᵃ ꝑ quod aliqua istař cōventionum revocetʳ vꝫ minuatʳ, & si aliquid tale impetraverit, reputetur irritum & inane, & numqᵃm eo utatʳ.



Concordia inter Rectorem Johannem et Baronem pro concessione libertatum ecclesie et regni Angl

I

xxxv. visa.

LINCOLNIA.

LINCOLNIA.

MAGNA CARTA
REGIS JOHANNIS.

XV. DIE JUNII, ANNO REGNI XVII.

A. D. MCCXV.

Joħēs dei gr̃a Rex Angł Dñs Hibnie Dux Norm̃ [& Aquit̃,[1]] Com̃ And̃ Archiep̃is, Ep̃is, Abbtib3, Com̃, Baronib3, Justiciariis, Forestariis, Vicecomitib3, Prepositis, Minist's, & Omnib3 Ballivis & fidelib3 suis, Salt̃. Sciatis nos intuitu dei & p salute anime nr̃e & om̃ium añcessorum & heredū nr̃orum ad honorem dei & exaltacionē sc̃e ecclie & emendationem Regni nr̃i p consilium venabilium pr̃m nr̃oz Stephi Cant̃ Archiepi, Toti⁹ Angł Primatis, & sc̃e Romane ecclie Card̃, Henr̃ Dublineñ Archiepi, Willi Lond̃, Petri Wintoñ, Joscelini Bathoñ & Glastoñ, Hugoñ Linc̃, Walti Wigorñ, Willi Coventreñ, & Benedc̃i Roffeñ Ep̃orum, Magr̃i [Pand̃[2]] Dñi Pape Subdiaconi & familiaris, [&[3]] fr̃is [Eimerici[4]] Magr̃i Militie Templ in Angł & Nobilium viroz Willi Marescall Com̃ Penbroc̃, Willi Com̃ Sarresbyr̃, Willi Com̃ Warenñ, Willi Com̃ Arundell, Alani de Galweia, Constabłar̃ Scotie, Wariñ filt Gerold, [Hubti de Burg̃ Senescall Pictav̄, Petr̃ filt Hereb̃ti,[5]] Hug̃ de Nevill, Matħi filt Hereb̃ti, Thom̃ Basset, Alani Basset, Philippi de Albiniaco, [Rob̃ de Roppelay,[6]] Joħis Marescall, Joħis filt Hug̃, & alioz fideliū nr̃oz, In primis cōcessisse do & hac p̃senti carta nr̃a confirmasse p nob̃ & ħedib3 nr̃is in ppetuum quod Anglicana ecclia lib̃a sit & ħat Jura sua integra, & lib̃tates suas illesas, & ita volum⁹ observari, q'd apparet ex eo quod lib̃tatē electōnum q̃ maxima & magis necc̃aria reputat' ecclie Anglicane mera & spontanea voluntate añ discordiam int̄ nos & Barones nr̃os motam, concessim⁹, & carta nr̃a confirmavim⁹, & eam obtinuim⁹ a Dño Papa Innocentio ter̄cio confirmari, q^m & nos observabim⁹, & ab ħedib3 nr̃is inppetuum **bona fide volum⁹ observari.** Concessim⁹ ecl̃a om̃ib3 lib̃is ħōib3 regni nr̃i p nob̃ & ħedib3 nr̃is in ppetuum om̃is lib̃tates subsc'ptas ħndas & tenendas eis & ħedib3 suis de nob̃ & ħedib3 nr̃is. Si quis comitum vł baronum nr̃oz sive aliorū tenentiū de nob̃ in capite p servitiū militare mortuus fuit, & cum decesserit heres suus plene etatis fuit, & relevium debeat, habeat ħeditatem suā p antiquū relevium, scilic& heres vł heredes comitis de Baronia comitis integra, p Centum Libras, heres vł heredes baronis de Baronia integra, p Centū [Lib's,[7]] heres vł heredes militis de feodo militis integro, p Cent̃ Sot ad plus, & qui min⁹ debuit min⁹ det scdm antiq^m consuetudinē feodoz. Si aut̃ heres alicuj⁹ talium fuit infra etatem & fuit in custodia, cum ad etatem pvenit, habeat ħeditatem suam sn̄ relevio & sine fine. Custos ter̄re hujmodi ħedis q' infra etatem fuit, n̄ capiat de ter̄ra ħedis nisi rōnabiles exit⁹ & rōnabiles consuetudines, & rōnabilia servitia, & hoc sine destructione & vasto hōium vł rerum. Et si nos cōmiserim⁹ custodiam alicuj⁹ talis terre vicecomiti vł alicui alii q' de exitib3 illius nob̃ respond̃e debeat, & ille destructionem de custodia fecit vł vastum, nos ab illo capiem⁹ emendam, & ter̄ra cōmittat' duob3 legalib3 & discretis hominib3 de feodo illo q' de exitib3 respondeant nob̃ vł ei cui eos assignavim⁹. Et si dedimus vł vendidim⁹ alicui custodiam alicuj⁹ tal ter̄re, & ille destructionē inde fecit vł vastum, amittat ip̃am custodiā & tradatur duob3 legalib3 & discretis hominib3 de feodo illo, qui simil̃r respondeant nob̃ sic̃ predc̃m est. Custos aut̃ q^mdiu custodiam ter̄re hũerit, sustentet domos, parcos, vivaria, Stagna, Molendina, & ceta ad ter̄ram illam ptinentia de exitib3 ter̄re ejusdē, & reddat ħedi cum ad plenam etatem pvenit, ter̄ram suā totam Instauratam de carrucis & [waignagiis[8]] scdm qd̃ temp⁹ [waignagii[9]] exiget, & exitus ter̄re rōnabilit̄ pot̄unt sustin̄e. Heredes maritent' absq; [dispa---atione[10]] ita ([11]) qd̃ anteq^m contrahat' mr̃imonium ostendat' ppinq's de consangũitate ip̃ius ħedis. Vidua post mortē mariti sui statī & sn̄ difficultate

[1] Aquit̃, & *C.* 1; *C.* 2.
[2] Pandulfi *C.* 1; *C.* 2; *R.*
[3] *deest C.* 1; *C.* 2; *R.*
[4] Eymerici *C.* 1.—Aymici *C.* 2.—Emerici *R.*
[5] Petri filii Hereb̃ti, Hubti de Burgo Senescalli Pictavie, *C.* 1; *C.* 2; *R.*
[6] Rob̃ti de Roppel *C.* 1; *C.* 2.—Rob̃ti Roppel *R.*
[7] lib3 *R.*
[8] Wainnagiis *C.* 1; Waynag̃ *C.* 2; Wanagiis *R.*
[9] Wainnagii *C.* 1; Waynagii *C.* 2; Wanagii *R.*
[10] disparagatione *C.* 1; *C.* 2; *R.*
[11] tamen *C.* 1; *R.*—tam̃ *C.* 2.

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habeat maritagiū & hēditatem suā, nec aliq[i]d det p dote sua vt p maritagio suo, vt hēditate sua, q[a]m hēditatem maritus suus & ipa [tenuit [1]] die obit[o] ipius mariti, & maneat in domo mariti sui p q[a]draginta dies post mortē ipius, infra quos assignetur ei dos sua. Nulla vidua dist[i]ngatur ad se [maritandum [2]] dū voluit vive sñ marito, ita tñ qđ securitatem faciat qđ se ñ maritabit sñ assensu nro si de nob tenuit, vt sñ assensu dñi sui de quo tenuit si de alio tenuit. Nec nos nec ballivi nri saisiem[o] tram aliq[a]m nec redditū p debito aliquo q[a]mdiu catalla debitoris sufficiunt ad debitum reddendum, nec [plegii [3]] ipius debitoris dist[i]ngant[r], q[a]mdiu ipe capitał debitor sufficit ad solutonem debiti; & si capitał debitor defecit in solutone debiti ñ hñs unde solvat, [plegii [4]] respondeant de debito, & si voluint, hant tras & reddit[o] debitoris donec sit eis satisfcm de debito qđ añ p eo solvint nisi capitał debitor monstravit se ee quietū inde vsus eosdē [plegios.[4]] Si quis mutuo cepit aliq[i]d a Judeis plus vt min[o] & moriat[r] añq[a]m debitum illd solvat[r], debitū ñ usuret q[a]mdiu heres fuit [- - f - a[5]] etatē de quocumq; teneat; & si debitū illd incidit in man[o] nras, nos ñ capiem[o] n[i] catallū contentū in carta. Et si quis moriat[r] & debitū debeat Judis, uxor ej[o] hat dotem suā & nicħ reddat de debito illo, & si libi ipius defuncti q[i] fuint infra etatē remanserit, p̄videant[r] eis neccaria scdm tenemitum qđ fuit defuncti, & de residuo solvatur debitū, salvo servitio dñoz. Sili modo fiat de debitis q̄ debent[r] aliis q[a]m Judeis. Nullū scutagiū vt auxiliū ponat[r] in regno nro nisi p cōmune consiliū regni nri; nisi ad corp[o] nrm redimendū & p[i]mogenitū filiū nrm militē faciendū, & ad filiā nram p[i]mogenitam semel maritandā, & ad [hec,[6]] non fiat nisi rōnabile auxiliū. Sili modo fiat de auxiliis de civitate Londoñ. Et civitas Londoñ habeat oms antiq[a]s libtates & libas consuetudines suas tam p tras q[a]m [p [7]] aq[a]s. Pret̄ea volum[o] & concedim[o] qđ oms alie civitates & burgi, & ville, & Port[o] hant oms libtates & libas consuetudines suas. Et ad hndū comune consiliū regni de auxilio assidendo ali[o] q[a]m in t[i]bz casibz pdcis, vt de scutagio assidendo, sūmoñi faciem[o] Archiepos, Epos, Abbes, Comites, & majores barones sigillatim p Litt̄as nras. Et p̄t̄ea faciem[o] sumoñi in gñali p vicecomites & ballivos nros oms illos q[i] de nob tenent in capite ad certū diē, Scilic& ad tminū q[a]draginta dierū ad min[o], & ad tum locū, & in ombz littis illi[o] sūmonitōis cām sūmonitōnis exp[i]mem[o], & sic fca sūmonitone, neg̃m ad die assignatum ꝓcedat scdm consiliū illoz q[i] presentes fuint, q[u]mvis ñ oms sūmoniti venint. Nos ñ concedem[o] decet̄o alic[i] qđ capiat auxiliū de libis hōibz suis, nisi ad corp[o] suū redimendū & ad faciendum p[i]mogenitū filiū suū militē, & ad p[i]mogenitā filiā suam semel maritandam, & ad hec, ñ fiat n[i] rōnabile auxiliū. Nullus dist[i]ngat[r] ad faciendū majus servitiū de feodo militis nec de alio libo tenemito, q[a]m inde debetur. Cōmunia placita nō seq[a]ntur curiam nram; sz teneant[r] in aliq[a] [certo loco.[8]] Recognitones de nova dissaisina, de morte añcessoris, & de ultima presentatone ñ capiant[r] nisi in suis comitatibz, & hoc modo; Nos, vt si ext[a] regnū fuim[o] capitał Justiciari[o] nr̄ mittem[o] duos Justiciarios p unūquēq; comitatū p q[a]ttuor vices ī anno, q[i] cū q[a]ttuor militibz cuj[o]lib& comitat[o] etcis p comitatū capiant ī comitatu & in die & loco comitat[o] assisas pdcas. Et si in die comitat[o] assise pdce capi non possint, tot milites & libe tenentes remaneant de ilł qui int̄ fuint comitatui die illo, p quos possint [sufficient Judicia [9]] fieri, scdm qđ neg̃m fuit maj[o] vt min[o]. Lib hō nō amciet[r] p parvo delicto, n[i] scdm modū delicti, & p magno delicto amciet[r] scdm magnitudinē delicti, salvo contenemito suo, & mcator eodem modo, salva mcandisa sua, & villan[o] eodē modo amciet[r] salvo [waignagio [10]] suo, si inciđit ī miscdiam nram, & nłła predcarum miscdiarū ponat[r] nisi p sacramitum pborum hōium de visneto. Comites & barones ñ amcient[r] n[i] p pares suos, & ñ nisi scdm modū delicti. Nullus clicus amciet[r] de laico tenemito suo n[i] scdm modū alioz pdcorum, & nō scdm q[a]ntitatē bñficii sui ecctiastici. Nec villa nec hō dis[i]ngatur facere pontes ad Riparias, nisi qui ab antiq[o] & de jure face debent. Nullus vicecomes, Constablarius, Coronatores, vt alii ballivi nri teneant placita corone nre. Oms Comitat[o] [& [11]] Hundredi, [Trethingii, & Wapentachii [12]] sint ad antiq[a]s firmas absq; ullo incremito; exceptis dñicis manliis nris. Si aliq[i]s tenens de nob laicū feodū moriat[r], & Vicecomes vt Balłs nr̄ ostendat litt̄as nras patentes de sūmonitone nra de debito qđ defunctus nob debuit, liceat vicecomiti vt Balło nro attachiare & inbreviare catalla defuncti inventa in

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[1] tenuerūt *R.* [2] maritandū *C.* 1; maritand *C.* 2; maritandam *R.* [3] pleggii *C.* 1. [4] pleggios *C.* 1. infra *C.* 1; *C.* 2; *R.* [6] hoc *R.* [7] *deest R.* [8] loco certo *C.* 1; *C.* 2; *R.* [9] judicia sufficient *C.* 1; *C.* 2; *R.* [10] Wainnagio *C.* 1; Waynagio *C.* 2; Wanagio *R.* [11] *deest C.* 1; *C.* 2; *R.* [12] Wapentak & Trething *C.* 1; Wapentak & Trethingi *C.* 2; *R.*

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laico feodo ad valentiam illi⁹ debiti ꝑ visū legaliū hoīum ; Ita tñ qđ nicħ inde amoveat[r], don[r] ꝑsolvat[r] noƀ debitum qđ clarum [fuit,'] & residuū relinq[a]tur executoribꝫ ad faciendū testam̃tum defuncti, & si nicħ noƀ debeatur ab iꝑo, om̃ia catalla cedant defuncto, salvis uxori iꝑius, & ꝑ̄is, rōnabilibꝫ ꝑtibꝫ suis. Si aliquis liƀ hō intestat⁹ decesserit, catalla sua ꝑ man⁹ ꝑpinquorū ꝑentum & amicorū suoꝝ ꝑ visū eccl̃ie distribuant[r], salvis unic[i]q, debitis, q̃ defunct⁹ ei [debebat.²] Nullus constabłarius vł ali⁹ ballivu[s] nī capiat blada vł alia catalla alicuj⁹, n[i] statī inde reddat denarios aut respc̃m inde hr̃e possit de voluntate venditoris. Nullus constabłari⁹ dist[i]ngat aliquē militē ad [dandū ³] denarios ꝑ custodia cast[i] si face volūit custodiā illā in ꝑp[r]ia ꝑsona sua, vł ꝑ alium ꝑbum hōiem si iꝑe eā face non possit, ꝑp rōnabilem cām ; & si nos duxim⁹ vł miserim⁹ eum in exercitū, erit quiet⁹ de custodia scđm q[a]ntitatē tempis quo ꝑ nos fūit in [exc̃itum.⁴] Nullus vic̃ vł Bałłs nī vł aliq[i]s ali⁹ capiat equos vł [carettas ⁵] alicuj⁹ liƀi hōis ꝑ carriagio faciendo ; nisi de voluntate iꝑius liƀi hōis. Nec nos nec bałłi nr̃i capiem⁹ alienum boscū ad castra vł alia agenda nr̃a nisi ꝑ voluntatē iꝑius cuj⁹ boscus ille fūit. Nos non tenebim⁹ ꝓras illoꝝ q[i] convicti fūint de felonia, n[i] ꝑ unū annū & unū diē, & tūc reddant[r] ꝓre dñis feodoꝝ. Om̃s [Kidelli ⁶] decet̄o deponant[r] penit⁹ de [Tamisia ⁷] & (*) [Medewaye,⁸] & ꝑ totam Angł nisi ꝑ costeram maris. Breve qđ vocatur ꝑcipe decet̄o ñ fiat alicui de aliq° teneñto unde liƀ homo [possit amitt̄e ¹⁰] curiam suam. Vna mensura vini sit ꝑ totum regnū nr̃m, & una mensura cervisie & una m̃sura bladi, scilic& [Q[a]rtariū ¹¹] Lond, & una latitudo pannoꝝ tinctoꝝ & Russettoꝝ & Halbergettoꝝ scilic& due ulne infra listas. De ponđibꝫ auī sit, ut de mēsuris. Nicħ det[r] vł capiat[r] decet̄o ꝑ ƀvi inquisitōnis de vita vł menb[i]s ; sꝫ gratis concedat[r] & non neget[r]. Si aliq[i]s teneat de noƀ ꝑ feodifirmam vł ꝑ [socagiū ¹²] vł ꝑ burgagiū, & de alio ꝓram teneat ꝑ servitiū militare, nos ñ ħebimus custodiā ħedis nec ꝓre sue q̃ est de feodo alt̄ius, occ̄one illi⁹ feodi firme vł [socagii ¹³] vł burgagii, nec ħebimus custodiā illi⁹ feodi firme vł [socagii ¹³] vł burgagii, n[i] iꝑa feodifirma debeat servitiū militare. Nos ñ ħebim⁹ custodiam ħedis vł ꝓre alicuj⁹ q[a]m tenet de alio ꝑ servitiū militare occ̄one alic⁹ ꝑve [Serjant̄ie ¹⁴] q[a]m tenet de noƀ ꝑ servitiū reddendi noƀ cultellos vł sagittas vł huj⁹modi. Nullus bałłs ponat decet̄o aliquē ad legem simplici loq̃la sua sine testibꝫ fidelibꝫ ad hoc inductis. Nullus liƀ hō capiat[r] vł inp[i]sonet[r] aut dissaisiat[r] aut utlaghet[r], aut exulet[r], aut aliq° modo destruat[r], nec sup eū ibim⁹ nec sup eum mittem⁹ nisi ꝑ legale juditiū pariū suoꝝ vł ꝑ legē ꝓre. Nłli vendem⁹, nłli negabim⁹, aut diffēmus rectum aut Justitiā. Om̃s m̄catores ħant salvū & securū exire [ab ¹⁵] Angł, & venire in Angł, (¹⁶) morari & ire ꝑ Angł tam ꝑ ꝓram q[a]m ꝑ aq[a]m ad emend & vendend sine om̃ibꝫ malis toltis ꝑ antiq[a]s & rectas consuetudines, ꝑt̄q[a]m in tempe guerre & si sint de terra cont[a] nos guerrina, & si tales inveniant[r] in ꝓra nr̃a in p[i]ncipio guerre, attachient[r] sū dampno corꝑm & r̃r̄ don[r] sciat[r] a noƀ vł [capitali Justiciar̃ nr̃o ¹⁷] quom⁹ m̄catores ꝓre nr̃e tractent[r] q[i] tūc invenient[r] in ꝓra cont[a] nos guerrina, & si nr̃ī salvi sint ibi, alii salvi sint in ꝓra nr̃a. Liceat unic[i]q, decet̄o exire de regno nr̃o & redire salvo & secure ꝑ ꝓram & ꝑ aq[a]m salva fide nr̃a nisi tempe guerre, ꝑ aliqđ breve tēp⁹ ꝑp cōmunē utilitatē regni exceptis inp[i]sonatis & utlaghatis scđm legē regni, & gente de ꝓra cont[a] nos guerrina, & m̄catoribꝫ de quibꝫ fiat sic̄ predc̃m est. Si quis tenūit de aliq[a] escaeta [sic̄ ¹⁸] de honore Wallingeford, Notingeham̃, [Bolon̄, Lancastr̄,¹⁹] vł de aliis escaetis q̃ sunt ī manu nr̃a, & sūt baronie, & obierit ; heres ej⁹ ñ det aliud relevium nec faciat aliud noƀ servitiū q[a]m face̊t baroni, si baronia illa c̃et in manu baronis, & nos eodē modo eam tenebim⁹, quo baro eam tenuit. Hōies qui manent ext[a] forestam non veniant decet̄o coram Justiciariis nr̃is de foresta ꝑ cōmunes sūmonitiones nisi sint ī placito vł plegii alic⁹ vł aliq°ꝝ q[i] attachiati sint ꝑ foresta. Nos nō faciem⁹ Justiciarios, Constabłarios, vicecomites, vł bałłos n[i] de talibꝫ q[i] sciant legē regni & eam ƀn velint observare. Omnes barones qui fundaūnt Abbias unde hñt cartas Regū Angł vł antiq[a]m tenuram, hānt earū custodiā cum vacaūint, sic̄ hr̃e debent. Om̃s foreste q̃ afforestate sūt tempe nr̃o, statī deafforestent[r], & ita fiat de Ripariis q̃ ꝑ nos tempe nr̃o posite sūt in defenso. Om̃s male consuetudines de forestis &

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[1] fūit *C.* 1 ; *C.* 2 ; *R.* [2] debeat *R.* [3] ducendū *R.* [4] Excercitu *C.* 1 ; exc̃itu *C.* 2 ; *R.*
[5] caretas *C.* 1 ; carectas *R.* [6] Kydelli *C.* 1. [7] Thamisia *C.* 1 ; *R.*
[8] de *C.* 2 ; *R.* [9] Medwai *R* [10] amittere possit *C.* 1 ; *C.* 2. *R.*
[11] Quarterium *C.* 1 ; q[a]rteriū *C.* 2 ; q[a]rteriū *R.* [12] Sokagium *C.* 1 ; *C.* 2 ;—Soccagiū *R.*
[13] Sokagii *C.* 1 ; Sokag̃ *C.* 2 ; Soccagii *R.* [14] Sergenterie *C.* 1.
[15] de *C.* 1 ; *C.* 2 ; *R.* [16] & *C.* 1 ; *C.* 2 ; *R.* [17] a Justiciario nr̃o capitali *R.*
[18] *deest R.* [19] Bon̄, Lainkastr̄, *C.* 1.

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Warrennis & de forestariis & Warrennariis, Vicecom̃, & eoꝝ minist's, Ripariis, & earū custodibꝫ statī inq'rant' in q"lib& comitatu ꝑ duodecī milites juratos de eodē comitatu q' debēt eligi ꝑ ꝑbos hōies ejusdē comitat', & infra q"draginta dies post inqu'sitōem fc̃am penit', ita qđ nūq"m revocent', deleant' [ꝑ eosdē, Ita qđ nos hoc pri' sciam' vł Justiciari' nr̃ si in Angł nō fuim'.'] Oñis obsides & cartas statī reddem' q̃ lıb̃ate fu̇nt noƀ ab Anglicis ī securitatē pacis vł fidelis servitii. Nos amovebim' penit' de balliis parentes Gerardi de [Atyes[2]] qđ deceꝺo nłam hãnt ballıam in Angł, [Engeł de Cygoyū,[3]] [Andr̃, Petr̃, & Gyonē[4]] de Cancełł, Gyonē de [Cygoyñ,[5]] Galfr̃ de [Martiny[6]] & fr̃es ej', [Philipꝑ Marc̃,[7]] & fr̃es ej' & Galfr̃ nepotē ej', & totā seq̃lam eorūdē, & statī post pacis reformatōem amovebim' de regno oñis alienigenas milites, Balistarios, servientes stipendiarios q' veꝺint cū eq's & armis ad nocuñtum regni. Si quis fu̇it dissaisit' vł elongat' ꝑ nos sī legali juditio pariū suoꝝ, de terris, [castełł,[8]] lıb̃tatibꝫ, vł jure suo, statim ea ei restituem', & si contentio sup hoc orta fu̇it, tūc inde fiat ꝑ Juditiū viginti q'nq, baronū de q'bꝫ fit mentio inferi' in securitate pacis. De om̃ibꝫ aũ illis de quibꝫ aliq's dissaisit' fu̇it vł elongat' sī legali juditō pariū suoꝝ ꝑ Henr̃ Regē pr̃em nr̃m vł ꝑ Ric̃ regē fr̃em nr̃m q̃ in manu nr̃a ħemus vł q̃ alii tenent q̃ nos opteat warantizare, respc̃m hc̃bim' usq, ad cōmunē ꝺminū cruce signatoꝝ, exceptis iłł de quibꝫ placitū motū fuit vł inquisitio fc̃a ꝑ ꝑceptū nr̃m aī susceptōnē crucis nr̃e. Cū aũ redierim' de peg'natōe nr̃a vł si forte remanserim' a peg'natōe nr̃a, statī inde plenā justitiā exhibebim'. Eundē aũ respc̃m hc̃bim' [& eodē m" de justitia exhibenda[9]] de forestis deafforestandis [vł remansuris forestis[10]] q"s Henr̃ pr̃ nr̃ vł Ric̃ fr̃ nr̃ afforestaꝺnt, & de custodiis ꝺrarū q̃ sunt de alieno feodo, cuj'modi custodias hucusq, hũim' occōne feodi qđ aliq's de noƀ tenuit ꝑ servitiū militare; Et de Abbtiis q̃ fundate fu̇int ī feodo alꝺi' q"m nr̃o in q'bꝫ dñs feodi dixit se jus hr̃e; Et cū redierim' vł si remāserim' a peg'natione nr̃a, sup hiis conq̃rentibꝫ plenā justitiā statī exhibebim'. Nullš capiat' nec inprisonet' ꝑp appellum femine de morte alꝺi' q"m viri sui. Oñis fines q' injuste & cont" legē ꝺre fc̃i sunt noƀcum, & om̃ia anꝺciañita fc̃a injuste & cont" legē ꝺre om̃ino condonent', vł fiat inde ꝑ juditiū viginti q'nq, baroñ de q'bꝫ fit ñitio inferi' in securitate pacis, vel ꝑ juditiū majoris ꝑtis eorūdem una cū predc̃o Stephō Canr̃ Archiep̃o si intꝺe poꝺit & aliis quos secū ad hoc vocare volu̇it, & si intꝺe non poꝺit, nichłomin' ꝑcedat neg̃m sine eo; Ita qđ si aliq's vł aliqui de p̃dc̃is viginti q'nq, baroñ fu̇int ī simli q̃rela, amoveant' q'ntū ad hoc juditiū, & alii loco eorū ꝑ residuos de eisdē viginti q'nq, [tm̃[11]] ad hoc faciendū elıci & jurati, substituant'. Si nos disseisivim' vł elongavimus Walenses de ꝺris vł lıb̃tatibꝫ vł rebꝫ aliis sī legali juditio pariū suoꝝ [in Angłia vł in Wallia,[12]] eis statī reddant', & si contentio sup hoc orta fu̇it, tūc inde fiat in marchia ꝑ juditiū pariū suoꝝ de tenem̃tis Angł, sc̃dm legē Angł, de tenem̃tis Wallie, sc̃dm legē Wallie, de tenem̃tis marchie, sc̃dm legē marchie. Idem facient Walenses noƀ & nr̃is. De om̃ibꝫ aũ iłł de q'bꝫ aliq's Walensiū dissaisit' fu̇it vł elongat' sī legali juditō pariū suoꝝ ꝑ Henr̃ Regē pr̃em nr̃m vł Ric̃ Regē fr̃em nr̃m q̃ nos in manu nr̃a hñs vł [que[13]] alii tenēt q̃ nos opteat warantizare, respc̃m ħebim' usq, ad cōmunē ꝺminū cruce signatoꝝ, iłł exceptis de quibꝫ placitū motū fuit vł inquisitō fc̃a ꝑ preceptū nr̃m aī susceptōnem crucis nr̃e. Cum auꝺ redierim' vł si forte remanserim' a peg'natione nr̃a, statī eis inde plenā justitiam exhibebim', sc̃dm leges Walensiū & ꝑtes p̃dc̃as. Nos reddem' filiū [Leulini[14]] statī & oñis obsides de Wallia & cartas q̃ noƀ lıb̃ate fu̇nt in securitatē pacis. Nos faciem' Alexandr̃ Regi Scottoꝝ de sororibꝫ suis & obsidibꝫ reddendis & lıb̃tatibꝫ suis & Jure suo sc̃dm formā in q" faciem' aliis baronibꝫ nr̃is Angł, n' ałr c̃e debeat ꝑ cartas quas hc̃mus de Wiłło pr̃e ipius q"ndā rege Scottoꝝ, & hoc erit ꝑ juditiū pariū suoꝝ in curia nr̃a. Oñis aũ istas consuetudines p̃dc̃as & lıb̃tates q"s nos [concessim'[15]] ī regno nr̃o tenendas, q"ntū ad nos ꝑtinet erga nr̃os, oñs de regno nr̃o tam elıci q"m laici observent q"ntū ad se [ꝑtinet[16]] erga suos. Cum auꝺ ꝑ ꝺo & ad emendatōem regni nr̃i & ad meli' [sopiendā[17]] discordiā

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[1] *scribuntur ad pedem Cartæ.* C.1; C. 2.
[2] Athyes C.1; C. 2.
[3] Engelardum de Cygony, C.1; C. 2; R.
[4] Petrum et Gionem et Andr̃ C. 2.
[5] Cygony C.1; C. 2; R.
[6] Martyni C.1.—Martinny C. 2.—M"rteni R.
[7] Philippum Mark, C.1.—Philippum Marci, R.
[8] Castallis C.1; Castellis C. 2; R.
[9] } *scribuntur ad pedem Cartæ.* C.1; C. 2.
[10] }
[11] tantum C. 2; R.
[12] *scribuntur ad pedem Cartæ.* C.1.
[13] *deest* R.
[14] Lewelini C.1; C. 2; R.
[15] concessissim' C.1.
[16] ptinent R.
[17] sopiendē C.1; C. 2.—sopiendū R.

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inꝑ nos & barones nr̃os ortam ħ oīia ꝑdc̃a [concesserimꝰ,[1]] volentes ea integª & firma stabilitate [in ꝑpetuū gaudę;[2]] facimꝰ & concedimꝰ eis securitatē sbsc'ptam, videlic& qđ barones [eligent[3]] viginti q'nq; barones de regno quos volꝰint, q' debeant ꝑ totis viribꝫ suis observare, tenę, & facę observari pacē & libtates qªs eis concessimꝰ & hac ꝑsenti carta nr̃a confirmavimꝰ; Ita scilic& qđ si nos vł Justic̃ nr̃ vł balli nr̃i vł aliq'is de minist'is nr̃is in aliq° erga aliquē delīq̃rimꝰ, vł aliquē articlorū pacis aut securitatis tªnsgressi fꝰimꝰ, & delictum ostensum fꝰit qªttuor baronibꝫ de ꝑdc̃is viginti q'nq; baronibꝫ, illi qªttuor barones [accedent[4]] ad nos vł ad Justic̃ nr̃m si fꝰimꝰ extra regnū ꝑponentes nob excessū, petent ut excessum illū sine dilatōne faciamꝰ emendari. Et si [nos[5]] excessum non emendavimꝰ vł si fꝰimꝰ extª regnū, Justiciariꝰ nr̃ nō emendavit infra tempꝰ qªdraginta dierū computand a tempe q° monstratū fꝰit nob vł Justiciario nr̃o si extª regnū fꝰimꝰ; ꝑdc̃i qªttuor barones referant [cām[6]] ad residuos de [illꝭ[7]] viginti q'nq; baronibꝫ, & illi viginti q'nq; barones cū cōmuna totiꝰ ꝓre dist'ngent & gªvabunt nos modis oīibꝫ quibꝫ poꝰunt, scilic& ꝑ captionē castroꝝ, ꝓrarū, possessionū, & aliis mod quibꝫ poꝰunt donᶜ fꝰit emendatū scdm̃ arbit'um eoꝝ salva ꝑsona nr̃a & Regine nr̃e & libꝫorum nr̃oꝝ, & cū fꝰit emendatū, intendent nob sic̃ priꝰ feꝰunt. Et q'cumq; volꝰit de ꝓra, juret qđ ad ꝑdc̃a oīia exeq̃nda, parebit mandatis ꝑdc̃oꝝ viginti q'nq; baronū, & qđ gravabit nos ꝑ posse suo cū ipis, & nos publice & libe damꝰ licentiam jurandi cuilib& q' jurare volꝰit, & nłi ūqªm jurare [ꝑhibebimꝰ.[8]] Oīs auť illos de ꝓra qui ꝑ se & sponte sua [nolꝰint[9]] jurare viginti q'nq; baronibꝫ de dist'ngendo & gravando nos cum eis, faciemꝰ jurare eosdē de mandato nr̃o sic̃ predc̃m est. Et si aliq'is de (°) viginti q'nq; baronibꝫ decesserit, vł a ꝓra recesserit vł aliq° alio modo impeditus fꝰit quominꝰ ista ꝑdc̃a [possent[11]] exeq'i, qui residui fꝰint de [ꝑdc̃is[12]] viginti q'nq; baronibꝫ, eligant aliū loco ipius ꝑ arbit'o suo q' simli modo erit juratꝰ, quo et ceť. In oīibꝫ auť que istis viginti q'nq; baronibꝫ cōmittunt' exeq̃nda, si forte ipi viginti q'nq; ꝑsentes fꝰint & inꝰ se sup re aliqª discordaꝰint, vł aliq' ex eis sūmoniti nolint vł neq̃ant interē, ratū hēatur & firmū qđ major pars eoꝝ qui ꝑsentes fꝰint ꝑvidit vł ꝑcepit, ac si oīs viginti q'nq; in hoc consensissēt Et ꝑdc̃i viginti q'nq; jurēt qđ oīia añdc̃a fideꝛ observabūt, & ꝑ [toto[13]] posse suo facient observari. Et nos nicħ impetrabimꝰ ab aliq° ꝑ nos nec ꝑ aliū ꝑ quod aliqua istarum concessionū [& [14]] libtatum revocet' vł minuat'. Et si aliquid tale impetratū fꝰit, irritū sit & inane, & nūq̄ eu uſem' ꝑ nos nec ꝑ aliū. Et oīs malas voluntates, Indignatōes, & rancores ortos inꝰ nos & hōies nr̃os clicos & laicos a tempe discordie plene oīibꝫ remisimꝰ & condonavimꝰ. Preꝓea oīs tªnsgressiones fc̃as occōne [ejusdē[15]] discordie a Pascha anno Regni nr̃i Sextodecimo, usq; ad pacem reformatam plene remisimꝰ oīibꝫ clicis & laicis, & q'ntum ad nos ꝑtinet, plene condonavimꝰ. Et insuꝑ fecimꝰ eis fieri litꝓas testimoniales patentes Dñi Stephi Cant' Archiepi, Dñi Henr̃ Dublineñ Archiepi, & Eꝑorum ꝑdc̃orum, & Magr̃i [Pand[16]] sup securitate ista & concessionibꝫ prefatis. Quare volumus & firmiter precipimꝰ qđ anglicana eccl̃ia libꝛa sit, & qđ hōies in regno nr̃o habeant & teneant oīs ꝑfatas libtates, Jura, & concessiones, bñ, & in pace, libe, & quiete, plene, & integre, sibi et heredibꝫ suis de nob & ħedibꝫ nr̃is in oīibꝫ rebꝫ & locis in ꝑpetuum sic̃ predc̃m est. Juratum est auť tam ex parte nr̃a qªm ex parte baronum, quod hec oīia supªdc̃a bona fide & sine malo ingenio [servabunt'.[17]] Testibꝫ supradc̃is, & multis aliis. Datꝰ ꝑ manum nr̃am In Prato quod vocatur [Runimed[18]] Inꝰ [Windleshoꝛ[19]] & [Stanes[20]] Quintodecimo die Junij, Anno Regni Nr̃i [Septimodecimo.[21]] ———

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[1] concessimꝰ *C.* 2; *R.*
[2] gaudere *C.* 1.—gaudere in ꝑpetuum, *C.* 1. *ad pedem Cartæ.*
[3] eligant *C.* 1; *C.* 2; *R.*
[4] accedant *C.* 1; *C.* 2; *R.*
[5] *deest R.*
[6] causam illam *C.* 1; *C.* 2; *R.*
[7] *deest C.* 1.
[8] ꝑhibemꝰ *R.*
[9] volꝰint *R.*
[10] ꝑdc̃is *R.*
[11] possint *R.*
[12] illis *R.*
[13] tote *R.*
[14] vel *R.*
[15] hujꝰ *R.*
[16] Pandulfi *C.* 1; *R.*
[17] observabunt' *C.* 2; *R.*
[18] Runingmed *C.* 1.—Ronimed *C.* 2.—Runigmed *R.*
[19] Windelesoꝛ *C.* 1;—Windlesoꝛ *C.* 2.—Windlesore *R.*
[20] Stañ *C.* 2.
[21] Decimo Septimo *C.* 2.

MAGNA CARTA

REGIS HENRICI III.

XII. DIE NOVEMBRIS, ANNO REGNI PRIMO.

A.D.MCCXVI.

HENRICUS dei gratia Rex Angł Dominus Hybn Dux Norm̄ [Aquit̄ &[1]] Comes And̄ Archiep̄is, Ep̄is, Abbib3, Comitib3, Baronib3, Justiciar̄, Forestariis, Vicecomitib3, Prepositis, Ministris, ([2]) Ballivis, & [om̄ib3[3]] fidelib3 suis, Salutem. Sciatis nos intuitu Dei & p salute anime nr̄e & omnium Antecessor̄ & Successor̄ nr̄or̄, ad honorem Dei & exaltac̄om Sc̄e Eccl̄ie & emendationem Regni nr̄i p consilium venerabilium patrum nr̄or̄ Domini Guał T.̄ T.̄ Sci Martini Presbit̄i Cardiñ Ap̄lice Sedis Legati, Petri Wintoñ, R. de Sc̄o Asapho, J. Batthoñ & Glastoñ, S. Exoñ, R. Cicestr̄, W. Coventr̄, B. Roffeñ, H. [Landav̄,[4]] Menevens̄, Bangor̄, & S. Wygorn̄, Ep̄or̄; & nobilium viror̄ Will̄mi Mariscalli Comitis Penbroc̄, Ranulfi Comitis Cestr̄, Will̄mi de Ferrar̄ Comitis [Dereb̄,[5]] Will̄mi Comitis [Albermarł,[6]] Hub̄ti de Burgo Justiciar̄ nr̄i, [Savarici[7]] de Maloleone, Will̄mi [Brigwer̄[8]] pat's, Will̄mi [Brigwer̄[9]] filii, Rob̄ti de Curtenay, Falkesii de [Breaut[e],[10]] Reginaldi de Vautort, [Walteri de Lascy,[11]] Hug[e] de Mortuo mari, Joh̄is de Monemut[e], [Walt̄i de Bello Campo,[12]] Walt̄i de Clifford, [Roḡi de Clifford,[13]] Rob̄ti de Mortuo Mari, Will̄mi de Cantilup[e], Matł filii Hereb̄ti, Joh̄is Mariscał, Alani Bassett, Philipp̄ de Albiniaco, Joh̄is Extranei, & alior̄ fidelium nr̄or̄: Inprimis concessise Deo, & hac presenti Carta nr̄a confirmasse, p nob̄ & heredib3 nr̄is in ppetuum, quod [Anglicana[14]] Eccl̄ia lib̄a sit & h̄eat jura sua integra & lib̄tates suas illesas. Concessimus eciam omnib3 lib̄is hominib3 [Regni nr̄i[15]] p nob̄ & heredib3 [nr̄is[16]] in ppetuum om̄is lib̄tates subsc̄ptas h̄ndas & tenendas eis & h̄edib3 suis de nob̄ & heredib3 nris. Si quis Comitum vł Baronum nr̄or̄ sive alior̄ tenentium de nob̄ in Capite p servic̄iū militare mortuus fu̍it, & cum decesserit heres suus plene etatis fu̍it & relevium debeat, h̄eat hereditatem suam p antiquum relevium, scł heres vł heredes Comitis de Baronia Comitis integra p centum libras, Heres vł heredes Baronis de Baronia ([17]) integra p centum lib[s]s, Heres vł heredes Militis de [feodo[18]] militis integro p centum solidos ad plus, & qui min⁹ debu̍it min⁹ det sc̄dm antiq[a]m consuetudinem feodor̄. Si autem heres alic⁹ talīū fu̍it infra etatem Dominus ejus non [h̄eat custodiam ejus[19]] nec p̄re sue anteq[a] homagium ejus cepit, & postq[a]m talis heres fu̍it in custodia [cum[20]] ad etatem pvenit, sc̄łt vigīti [uni⁹ anī[21]] h̄eat h̄editatem suam sn̄ relevio & sn̄ fine Ita tn̄ q, si ip̄e dum infra etatem fu̍it [fiat[22]] miles, nich̄omin⁹ p̄ra remaneat ī custodia Domini sui usq, ad p̄minū p̄dc̄m. Custos p̄re [huj⁹modi[23]] heredis qui infra etatem fu̍it non capiat de p̄ra h̄edis nisi rōnabiles exitus & rōnabiles consuetudines & rōnabilia servicia & hoc sn̄ destruc̄oe [&[24]] vasto hominum vł rerum. Et si nos commis̍im⁹ custodiam alic⁹ tal̄ p̄re Vicecomiti vł alicui alii qui de exitib3 p̄re illius nob̄ respondere debeat, & ille destruc̄tionem de Custodia fec̍it vł vastum, nos ab [illo[25]] capiemus emendam, & p̄ra cōmittat[r] duob3 legalib3 & discretis hominib3 de feodo illo, qui de exitib3 nob̄ respondeant vł ei cui illos assigna-v̍im⁹ & si dederimus vł vendiderim⁹ alic[i] custodiam alic⁹ tal̄ p̄re, & ille destruc̄ionē in̄ fec̍it vł vastum, amittat [ip̄am custodiam[26]] & tradat[r] duob3 legalib3 & discretis hominib3 de feodo illo qui simili[t] nob̄ ([27]) respondeant sicut predc̄m est. Custos autem q[a]mdiu custodiam p̄re h̄uerit, sustentet domos, parcos, [vivarios, stagna,[28]] molendina, & ce[te]a ad p̄ram illam p̄tinentia de exitib3 p̄re ejusd̄ & [reddat[29]] h̄edi cum ad plenā etatem pvenit p̄ram suam totam instauratam de carucis & om̄ib3 aliis reb3 ad min⁹ sc̄dm qd̄ [illā[30]] recepit. Hec om̄ia obs̍vent[r] de [custodiis[31]] Archiep̄atuum, Ep̄atuum, Abbatiarū, Prioratuum, Eccl̄iar̄, & [Dignitatum[32]] vacantium excepto q, custodie huj⁹modi vendi nō debēt. Heredes maritent[r] absq, dispagac̄oe. Vidua post mortem mariti sui statim & sn̄

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[1] & Aquitanie
[2] Civibus
[3] *deest*
[4] Londoñ
[5] de Derb̄
[6] de Aubemarle
[7] Savaricii
[8] Bruerie
[9] Brueŕ
[10] Breute
[11] W. de Laci
[12] W. de Beuchaump
[13] *deest*
[14] Hybnicana
[15] de regno nr̄o
[16] *deest*
[17] baronis
[18] feudo
[19] h̄ebit custodiam ip̄ius
[20] *deest*
[21] & unius anno̍
[22] *deest*
[23] h⁹i &
[24] vł
[25] eo
[26] custodiam illam
[27] inde
[28] vivaria, stangna,
[29] reddet
[30] illas
[31] custodia
[32] dignitatuū

Magna Carta

I. HENRICI III.

[difficultate [1]] aliq[a] ħeat maritagium suum & hereditatem suam nec aliquid det p dote sua vł [p [2]] maritagio vł hereditate sua, q[a]m hereditatem marit[9] suus & ip̄a tenuerint die obit[9] ip̄i[9] mariti; & maneat ([3]) ī domo mariti sui p quadraginta dies post mortem ip̄ius mariti sui, infra quos ei assignet[r] dos sua n[i] pri[9] ei fu̅it assignata vł nisi domus illa [sit [4]] castrum; & si de castro recesserit statim p̄videat[r] ei domus competens ī qua possit honeste morari quousq; dos sua ei assignet[r] sc̄dm q; pred̄c̄m est. Nulla Vidua dist[i]ngat[r] ad se maritandū dum volu̅it vi᷒e sine marito, ita tū q; securitatem [faciet [5]] q; se nō maritabit sū assensu nr̄o si de nob̄ tenu̅it vł sū assensu domini sui si de alio tenuerit. Nos [vero [6]] vł Ballivi nr̄i non saisiem[9] ꝑram aliq[a]m nec Redditum p debito aliquo, q[a]mdiu Catalla debitoris presentia sufficiunt ad debitum reddendum, & ip̄e debitor pat[9] [sit [7]] iñ satisfacere. Nec Plegii ip̄ius debitoris dist[i]ngant[r] q[a]mdiu ip̄e capitał debitor [sufficiat [8]] ad solu᷒c̄om debiti. Et si capitał debitor defec̄it [ī solu᷒c̄oē debiti,[9]] nō hñs uñ reddat aut reddere nolit cum possit, plegii respondeant de debito, & si volu̅int ħeant ꝑras & reddit[9] debitoris quousq; sit eis satisfc̄m de debito qđ ante p eo solv̅int, nisi capitał debitor monstrav̅it [se iñ c̄e quietum [10]] v̅sus eosdem pleg̃. Civitas [Londoñ [11]] ħeat oñs antiq[a]s lib̄tates & lib̄as consuetudines suas. Preterea volumus & concedimus qđ oñs alie Civitates [& Burgi & Ville, & Barones de Q[i]nq; Portub; & oñs port[9],[12]] ħeant oñs lib̄tates & lib̄as consuetudines suas. Nullus distringat[r] ad faciendum maj[9] serviciū de feodo Militis n[c] de alio lib̄o tenem̄to q[a]m iñ debet[r]. Communia placita non seq[a]ntur curiam nr̄am, s; teneant[r] ī aliq[o] certo loco. Recognitiones de Nova disseisina, de morte antecessoris, ([13]) de ultima presentac̄oe nō capiant[r] n[i] ī suis Comitatib; & hoc modo; Nos, vł si ex[a] Regnum fu̅im[9] capitalis Justiciari[9] nr̄, mittem[9] duos Justiciarios p unumq[e]mq; Comitatum p quatuor vices ī anno, Qui cum q[a]tuor Militib; cuj[s] libet Comitatus electis p Comitatum capiant [ī Comitatu ī die [14]] & loco Comitat[9] assisas pred̄c̄as. Et si in die Comitat[9] assise pred̄c̄e capi non [possint,[15]] tot Milites & lib̄e tenentes remaneant de illis q[i] int[er]fu̅int Comitatui die illo p q[s] possint sufficien᷒ judicia fieri sc̄dm q; negociū fu̅it maj[9] vł min[9]. Liber homo non amerciet[r] p pvo delic̄to nisi sc̄dm modum [ip̄ius [16]] delic̄ti, & p magno delic̄to sc̄dm magnitudinem delic̄ti, salvo contenem̄to suo, & Mercator eodem modo salva [mercandisa [17]] sua, & Villanus eodem modo amerciet[r] salvo [Wainagio [18]] suo, si inciderit in misc̄diam nr̄am. Et nulla pred̄c̄a᷒ misc̄diarū ponat[r] n[i] p sac[a]m̄itū ꝓbo᷒ & legaliū hominū de Visneto. Comites & Barones non amercient[r] n[i] p pares suos, & nō nisi scdm modum delic̄ti. Nullus Clicus amerciet[r] n[i] sc̄dm formam pred̄c̄o᷒ & nō sc̄dm q[a]ntitatem bñficii sui eccl̄iastici. Nec Villa nec homo [dist[i]ngat [19]] fac̄e Pontes ad Riparias nisi q[i] ab antiq[o] & de jure fac̄e [debet.[20]] Nullus Vicecomes, Constabulari[9], Coronatores, vł ą̄lii Ballivi nr̄i teneant placita Corone nr̄e. Si aliq[s] tenens de nob̄ laicum feodum moriat[r] & Vicecomes vł Ball̄s nr̄ ostendat litt[e]as nr̄as patentes de sūmonic̄oe nr̄a de debito qđ defunctus nob̄ debuit, lic̄eat Vic̄ vł Ball̄o nr̄o attachiare & inbreviare catalla defuncti inventa ī laico feodo ad valenciam illius debiti p visum legaliū hominū Ita tū q; nic̄ħ iñ amoveat[r] donec psolvat[r] nob̄ debitum qđ clarum fu̅it, & residuū relinq[at] executoribus ad faciend̄ testamentū defuncti. Et si nic̄ħ [nob̄ [21]] debeat[r] ab ip̄o oñia catalla cedant defuncto Salvis Uxori [ip̄ius [22]] & pueris suis rōnabilib; ptib; suis. Nullus Constabulari[9] vł ejus Ball̄s capiat blada vł alia catalla alic[9] qui nō sit de villa ubi Castrū situm est, n[i] statim iñ reddat denarios [aut [23]] respectum iñ hr̄e possit de voluntate Venditoris: Si autē de villa [fu̅it [24]] teneat[r] infra tres septimanas precium reddere. Nullus Constabulari[9] dist[i]ngat aliqu[s] Militem ad dandum denarios p custodia Castri si ip̄e eam fac̄e volu̅it ī pp[i]a psona sua, vł p alium pbum hominē si ip̄e eam fac̄e nō possit ppt̄ rōnabilem causam. Et si nos duxerimus vł mi᷒im[9] eum ī excercitum erit quiet[9] de custodia sc̄dm q[a]ntitatem tempis quo p nos fuit ī excercitu. Nulls Vicecom̄ vł Ball̄s nr̄ vł alius capiat eq[s] vel carettas alic[9] p cariagio faciendo n[i] reddat lib̄ac̄om antiq[i][9] statutā sc̄t p caretta ad duos Equos decem denarios p diem & p caretta ad tres eq[s] quatuordecim denarios p diem. Nec nos n[c] Ball̄i nr̄i capiem[9] alienum Boscum ad Castra vł alia agenda nr̄a n[i] p voluntatem ip̄ius cuj[9] bosc[9] ille fu̅it. Nos nō tenebim[9] ꝑras [eo᷒ [25]] qui convicti fu̅int de felonia nisi p unum annum & unum

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[1] dilac̄one [2] *deest* [3] vidua [4] fu̅it [5] faciat
[6] *deest* [7] *deest* [8] sufficit [9] in solu᷒c̄oe [10] se quietum esse
[11] Dubliñ [12] Ville & Burgi & omnes portus [13] &
[14] & in Comitatu & in die [15] possunt [16] *deest* [17] m̄candasia
[18] wannagio [19] dist[i]ngat[r] [20] debent [21] *deest* [22] sue
[23] vł [24] fuit [25] illo᷒

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diem & tunc reddant' re dominis feodoꝝ. [Omnes Kydelli deceo deponant' penitus p Tamisiam & Medeweiam & p totam Angł'] nisi p costeram Maris. Breve qđ vocat' Precipe deceo nō fiat alicui de aliq' teneñito unde liber [homo [2]] amittere possit curiam suam. Una mensura Vini sit p totum Regnum nr̃m, & una mensura Cervisie, & una mensura Bladi, scłt, Quarterium [Londoñ,[3]] & una latitudo pannoꝝ tinctoꝝ [& [4]] Russettoꝝ, [& [4]] Hauberjetoꝝ, scłt due Ulne infra listas. De ponderibꝫ autem sit ut de Mensuris. Nichil detur deceo p brevi inquisicōis de Vita vł Membris, sꝫ g'tis concedat' & non neget'. Si aliq's teneat de nob p feodi firmam vł Sokagium vł p Burgagium, & de alio ram teneat p serviciū militare, [nos nō [5]] ħebimus custodiam ħedis nec re sue que est de feodo alt'ius occasione illius feodi firme vł Sokagii vł Burgagii, Nec ħebimus custodiam illi feodi firme vł Sokagii vł Burgagii nisi ipa feodi firma debeat serviciū militare. Nos non ħebim custodiam [ħedis vł re alic [6]] q'm tenet de alio p serviciū militare occasione alic pve [Serganterie [7]] q'm tenet de nob p serviciū reddendi nob Cultellos vł Sagittas vł huj modi. Nullus Balłs ponat deceo aliquem ad legem simplici loquela [sua [8]] sñ testibꝫ fidelibꝫ ad hoc inductis. Nullus liber homo capiat' vł imp'sonet' [aut [9]] dissaisiat' aut utlaget' aut exulet aut aliquo alio modo destruat' nec sup eum ibimus nec sup eum mittemus nisi p legale judiciū parium suoꝝ vł p legem terre. Nulli vendemus nulli negabim aut diff'emus rectum aut justiciam. Omnes Mercatores nisi publice [ante [10]] phibiti fuint ħeant salvum & securum exire de [Anglia,[11]] & venire ī [Angł [12]] & morari & ire p [Angł,[12]] tam p [ram [13]] q' p aq's, ad emendum & vendendum, sñ oīnibꝫ malis toltis p antiq's & rectas consuetudines pret q' in tempore Guerre, & si sint de ra cont' nos guerrina, Et si tales īveniant' ī ra nr̃a ī p'ncipio Guerre, attachient' sñ dampno Corpum vł rerum donec sciat' a nob, vł a Capitali Justiciar̃ nr̃o, q''modo mercatores re nr̃e t'ctent' qui tunc īvenient' ī ra cont' nos guerrina; & si nr̃i salvi sint ibi, alii salvi sint in ra nr̃a. Si q's tenuerit de aliq' Escaeta sicut de honore Walingeford', Notingeħ, Boloñ, Lancastr̃, vł [de [14]] aliis Escaetis que sunt ī manu nr̃a & sunt Baronie, & obierit, heres ejus non det aliud relevium n' faciat nob aliud serviciū q' facet Baroni si ra illa cet ī manu Baronis & nos eodem modo [eam [15]] tenebim quo Baro eam tenuit. Homines qui manent ex' forestam non veniant deceo coram Justiciar̃ nr̃is de Foresta p cōmunes sūmonitiones n' sint ī placito vł plegii alic vł aliquoꝝ qui attachiati [sunt [16]] p foresta. Omnes [Barones [17]] qui fundavint Abbatias, uñ ħnt cartas Regum Angł vł antiq'm tenuram, ħeant earum custodiam cum vacavint sicut ħre debent & sicut sup' declaratum est. Omnes Foreste que afforestate sunt tempore Reg Johis patris nr̃i statim deafforestent', & ita fiat de Ripariis que p eundem J. tempe suo posite sunt ī defenso. Nullus capiat' vł imprisonet' ppt apellum femine de morte alt'ius q' viri sui. [[18] Et si Rex J. pater nr̃ dissaisierit vł elongavit Wallenses de ris vł libtatibꝫ vł aliis rebꝫ sñ legali judicio parium suoꝝ ī Anglia vł ī Wallia, eis statim reddant', & si contentio sup hoc orta fuit, tunc iñ fiat ī Marchia p judiciū parium suoꝝ, de teneñitis Angł scdm legem Angł, de teneñitis Wallie scdm legem Wallie, De teneñitis Marchie scdm legem Marchie. Idem facient Wallenses nob & nr̃is. [18]] Omnes autem istas consuetudines predcas & libtates q's [nos [19]] concessimus ī Regno nr̃o tenendas q'ntum ad nos ptinet erga nr̃os, oīs de Regno nr̃o tam Clici q' laici [obsvent [20]] q'ntum ad se ptinet erga suos. Quia vero quedam Capitula ī priori Carta continebant' que gravia & dubitabilia videbant', scłt de Scutagiis & auxiliis assidendis, de Debitis Judeoꝝ & alioꝝ, & de libtate exeundi de Regno nr̃o [vel [21]] redeundi ī Regnum ([22]) [& [23]] de Forestis, & Forestariis, ([24]) Warennis & Warennariis, [& [25]] de Consuetudinibꝫ Comitatuum, & de Ripariis & earum Custodibꝫ, placuit supradcis Prelatis & Magnatibꝫ ea ce in respectu quousq; pleni consilium ħuerim & tunc faciemus plenissime tam de hiis q' de aliis que occurrerint emendenda, [que [26]] ad cōmunem oīnium utilitatē [ptinuerint [27]] & pacem & statum nr̃m & Regni nr̃i. Quia vero Sigillum nondum ħuim pntem Cartam Sigillis venabił patris nr̃i Dñi Guał T. T. Scī Martini Presbiti Cardiñ Aplice Sedis Legati & Willmi Mariscalli Comitis Penbr̃, Rectoris nr̃i & Regni nr̃i, fecim sigillari. Testibꝫ oīnibꝫ pnōiatis & aliis multis. Dat p manus pdictoꝝ Dñi Legati & Willmi Mariscall [Com Penbr̃ [28]] apud Bristollum duodecimo die Novembris anno Regni nostri PRIMO.

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[1] Et oīes kydelli deponant' de ceo p totam Auenlich & p totam Hybm
[2] *deest*
[3] Dubliñ
[4] } *desunt*
[5] n'
[6] alicujus re vł ħedis
[7] sjantie
[8] *deest*
[9] vł
[10] antea
[11] Hybn
[12] Hybm
[13] ras
[14] *deest*
[15] ea
[16] sint
[17] homines
[18] *desunt hæ clausulæ.*
[19] *deest*
[20] conservēt
[21] &
[22] nr̃m
[23] *deest*
[24] de
[25] *deest*
[26] id qđ
[27] pertinuit
[28] *desunt*

MAGNA CARTA
REGIS HENRICI III.

A.D. MCCXVII.

HENRICUS Dei gracia Rex Angł Dñs Hibernie Dux Normannie Acquitanie & Comes Andegavie, Archiepis, Epis, Abbib3, Priorib3, Comitib3, Baronib3, Vicecomitib3, Prepositis, Ministris, & oīnib3 Ballivis & fidelib3 suis p̄sentem Cartam inspecturis, Salt. Sciatis qđ intuitu đi, & p salute anime nr̄e & animaꝝ antecessoꝝ & successoꝝ nr̄oꝝ ad exaltatōem Sce Ecclie & emendatōem Regni nr̄i, ꝯcessimus & hāc p̄senti Carta ꝯfirmavimꝰ p nob & hedib3 nr̄is in ppetuum, de consilio venabilis Pr̄is nr̄i Dñi Guał T.̃ T.̃ Sc̄i Martini Pb̄ri Cardinał & Aplice Sedis Legati, Dñi Walti Eboř Archiepi, Willi Londoñ Epi, & alioꝝ Epoꝝ Angł, & Willi Mariscałł Com̄ Pembř Rectoris nr̄i & Regni nr̄i & alioꝝ fideliū Comitū & Baronū nr̄oꝝ Angł Has Libtates subscriptas tenendas in Regno nr̄o Angł ī ppetuum. In primis concessimꝰ đo & hac p̄senti carta nr̄a ꝯfirmavimꝰ p nob & hedib3 nr̄is ī ppetuum, qđ Anglicana Ecclia liba sit & hat jura sua integ[a] & libtates suas illesas. Concessimꝰ etiam oīnib3 libis hominib3 Regni nr̄i, p nob & hedib3 nr̄is ī ppetuum, oñs libtates subscriptas tenendas eis, & hedib3 suis de nob & hedib3 nr̄is. Si quis Comitū vł Baronū nr̄oꝝ sive alioꝝ tenentiū de nob in Capite p servicīū militare mortuus fuit, & cū decesserit heres ejꝰ plene etatis fuit & releviū debeat, habeat hedītatē suam p antiquū releviū, scilt, heres vł hedes Comitis de Baronia Comitis integra p centū Libr̄, heres vł hedes Baronis de Baronia integ[a] p centū Libr̄, heres vł hdes Militis de feodo Militis integro p centū solidos ad plus & qui minus debuit minꝰ det scđm antiq[a]m ꝯsuetudinē feodoꝝ. Si autē heres alicujꝰ taliū fuit infra etatē Dñs ejus ñ hat custodiam ejꝰ nec tre sue anteq[a]m homagiū ejus cepit, & postq[a]m talis heres fuit in custodia cū ad etatē pvenit, scilt vigīti & uniꝰ anni, hat hedītatē suam sine relevio & sine fine, Ita tū, qđ si ipe infra etatē fuit, fiat Miles, nichilominꝰ tra remaneat ī custodia Dñoꝝ suoꝝ usq; ad tminū p̄dc̄m. Custos tre hujꝰmodi hedis qui infra etatem fuit nō capiat de tra hedis nisi rōnabiles exitus & rōnabiles ꝯsuetudines & rōnabilia servicia & hoc sine destructōe & vasto hoīm vł rerū. Et si nos cōmiserimꝰ custodiam alicujꝰ alicujꝰ talis tre Vicecom̄ vł alicui alii qui de exitib3 tre illius nob debeat respondē & ille destructōem de custodia fecit vł vastum, nos ab illo capiemꝰ emendam, & tra ꝯmittat[r] duob3 legalib3 & discretis hōib3 de feodo illo qui de exitib3 nob respondeant, vł ei cui eos assignavimꝰ, & si dedimus vel vendidimꝰ alicui custodiam alicujꝰ talis tre & ille destructōem inde fecit vł vastum, amittat ipam custodiam, & tradat[r] duob3 legalib3 & discretis hominib3 de feodo illo qui similr nob respondeant sicut p̄dc̄m ǂ. Custos autē q[a]mdiu custodiam tre huerit sustentet domos, pcos, vivarios, stagna, molendina, & ceta ad tram illam ptinentia de exitib3 tre ejusdem, & reddat hedi cū ad plenam etatē pvenit, tram suam totam instauratam de carucis & oīnib3 aliis reb3 ad minus sc̄dm qđ illam recepit. Hec oīnia observent[r] de custodiis Archiepatuū, Epatuū, Abbaciaꝝ, Prioratuū, Ecclias, & Dignitatū vacanciū que ad nos ptinent, Excepto qđ Custodie hujꝰmodi vendi nō debent. Heredes maritent[r] absq; dispagatōne. Vidua post mortē mariti sui statim & sine difficultate aliqua hat maritagiū suum & hēditatem suam, nec aliquid det p dote sua & p maritagio suo vł hēditate sua q[a]m hēditatē maritus suus & ipa tenuit die obitus ipius mariti & maneat in capitali mesuagio mariti sui p xl. dies post obitū ipius mariti sui, infra quos assignet[r] ei dos sua, nisi priꝰ fuit ei assignata, vł nł domus illa sit Castrū, & si de Castro recesserit, statim pvideat[r] ei domꝰ ꝯpetens in qua possit honeste morari quousq; dos sua ei assignet[r] sc̄dm qđ p̄dc̄m ǂ Et hat rōnabile estuvium suū intim de cōi. Assignet[r] autē ei p dote sua tcia pars tociꝰ tre mariti sui que sua fuit in vita sua, nł de minori dotata fuit ad ostium Ecclie. Nulla Vidua distringat[r] ad se maritand dum volūit vivē sine marito; Ita tū, qđ securitatē faciat qđ se nō maritabit

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sine assensu nr̃o si de nob̃ tenuit vł sine assensu Dñi sui si de alio tenuit. Nos vo vł Ballivi nr̃i nō saisiemus ram aliq̃m nec redditū p debito aliquo q̃mdiu catalla debitoris psentia sufficiñt ad debitū reddendū & ipe debitor paratus sit inde satisface. Nec plegii ipius debitoris distringant' q̃mdiu ipe capitał debitor sufficiat ad solōnem debiti. Et si capitał debitor defecit in solōne debiti, nō habens unde reddat aut redde nolit cum possit, plegii respondeant p debito, & si volu̇int ħant ras & redditus debitoris quousq, sit eis satisfcm de debito, qd ante p eo solu̇int, n' capitał debitor monstrau̇it se inde ee quietum versus eosdem plegios. Civitas Londoñ ħat omnes antiquas libtates & libas consuetudines suas. Preea volumus & gcedim⁹ qd oñis alie Civitates & Burgi & Ville & Barones de quinq, portib⁹ & oñis port⁹ ħant oñis libtates & libas gsuetudines suas. Nullus distringat' ad faciendū maj⁹ serviciū de feodo militis nec de alio lib̃o teneñito q̃m inde debet'. Cōmunia placita nō sequant' c'iam nr̃am, sed teneant' in aliquo loco ćto. Recogniçōes de nova dissaisina, de morte antecessoz̃ ñ capiant' n' in suis Comitatib⁹ & hoc m°: Nos vł si ex̃ Regnū fu̇imus capitał Justiciari⁹ nr̃ mittem⁹ Justiciarios p unūquēq, Comitatū semel in anno qui cū militib⁹ Comitatuū capiant in Comitatib⁹ assisas predcas, & ea que in illo advento suo ī Comitatu p Justiciarios pdcos ad dictas assisas capiendas missos minari nō possunt, p eosdem minent' alibi in Itiñe suo, & ea que p eosdem ppt difficultatē aliquoz̃ articuloz̃ minari nō possunt, referant' ad Justiciarios nr̃os de Banco & ibi minent'. Assise de Ultima psentatōe semp capiant' coram Justiciariis de Banco & ibi minent'. Lib̃ ho nō amerciet' p parvo delicto nisi scdm modū ipius delicti, & p magno delicto, scdm magnitudinē delicti, salvo gteneñito suo. Et mcator eodem m° salva mercandisa sua. Et Villanus altius q̃m nr̃ eodem m° amerciet' salvo wainagio suo si incidit in ñiam nr̃am, & nulla pdcaz̃ ñiaz̃ ponat' nisi p sacramenta pboz̃ & legaliū hōim de visneto. Comites & Barones nō amercient' nisi p pares suos & ñ nisi scdm modū delicti. Nulla Ecclastica p̃ amerciet' scdm q̃ntitatē bnficii sui ecclastici, sed scdm laicū teneñtum suū & scdm q̃ntitatē delicti. Nec villa nec ho distringat' facere pontes ad Riparias n' qui ab antiquo & de jure face debet. Nulla Riparia decero defendat', n' ille que fu̇nt ī defenso ipr Henr̃ Reg̃ Avi nr̃i p eadem loca & eosdem minos sicut ee consuevnt ipr suo. Nullus Vic̃, Constab̃, Coronatores, vł alii Ballı nr̃i teneant placita Corone nr̃e. Si aliquis tenens de nob̃ laicū feodū moriat', & Vicecom vł Ballı nr̃ ostend litas nr̃as patentes de sūmonitōe nr̃a de debito qd defunct⁹ nob̃ debuit, liceat Vic̃ vł Ballo nr̃o attachiare & inbreviare cattalla defuncti inventa in laico feodo ad valentiam illius debiti p visum legaliū hōim, Ita tñ, qd nicł inde amoveat' donec psolvat' nob̃ debitū qd clarū fu̇it & residuū relinquat' executorib⁹ ad faciendū tesm defuncti. Et si nicł nob̃ debeat' ab ipo, oia catalla cedant defuncto, salvis Uxori ipius rōnabilib⁹ ptib⁹ suis. Nullus Constab̃ vł Ballı ej⁹ capiat Blada aut alia Catalla alicuj⁹ qui nō sit de Villa ubi Castrū situ ⸗, n' statim inde reddat denar̃ aut respectū inde ħre possit de voluntate venditoris; Si autē de Villa ipa fu̇it infra xl. dies cium reddat. Nullus Constab̃ distringat aliquē militē ad dandū denar̃ p custodia Castri si ipe eam face volu̇it ī pp'a psona sua vł p aliū pbum hōiem si ipe eam face nō possit ppt rōnabilē cām. Et si nos dux̃imus eum vł miserim⁹ in exc̃itum, erit quiet⁹ de Custodia scdm q̃ntitatē tpris quo p nos fu̇it in exc̃itu, de feodo p quo fecit serviciū in exc̃itu. Null⁹ Vic̃ vł Ballı nr̃ vł alius capiat Equos vł Carettas alicuj⁹ p cariagio faciendo, nisi reddat libatōem antiquit⁹ statutam, scil, p Caretta ad duos equos decē denar̃ p diem, & p caretta ad tres equos q̃tuordecī denar̃ p diem. Nulla Caretta dñica alicuj⁹ ecclastice psone vł Militis vł alicuj⁹ Dñe capiat' p Ballos pdcos. Nec Nos nec Ballı nr̃i nec alii capiem⁹ alienū Boscum ad Castra vł alia agenda nr̃a, n' p voluntatē illius cuj⁹ Boscus ille fu̇it. Nos nō tenebim⁹ tras eoz̃ qui gvicti fuerūt de felonia n' p unū annū & unū diem & tūc reddant' re dñis feodoz̃. Omnes Kidelli decero deponant' penit⁹ p Tamisiam vł Medewaiam & p totam Angł n' p cosam maris. Breve qd vocat' cipe decero nō fiat alicui de aliquo teneñito unde lib̃ ho pdat c'iam suam. Una ñsura Vini sit p totū Regnū nr̃m & una ñsura Cervisie & una ñsura Bladi, scil, Quar̃ Londoñ, & una Latitudo pannoz̃ tinctoz̃ & Russetoz̃ & hauberjetoz̃, scil, due Ulne infra Listas. De Ponderib⁹ vo sit ut de ñsuris. Nicł det' decero p brevi Inquisitōnis ab eo qui Inquisitōem petit de vita vł membris sed g̃tis concedat' & nō neget'. Si aliquis teneat de nob̃ p feodifirmam vł Soccagiū vł Burgagiū, & de alio teneat ram p serviciū militare, nos nō habebim⁹ custodiam ħedis nec re sue que ⸗ de feodo altius, occōne illius feodifirme vł Soccagii vł Burgagii. Nec habebim⁹ custodiam illius feodifirme vł

Magna Carta

A.D.MCCXVII.

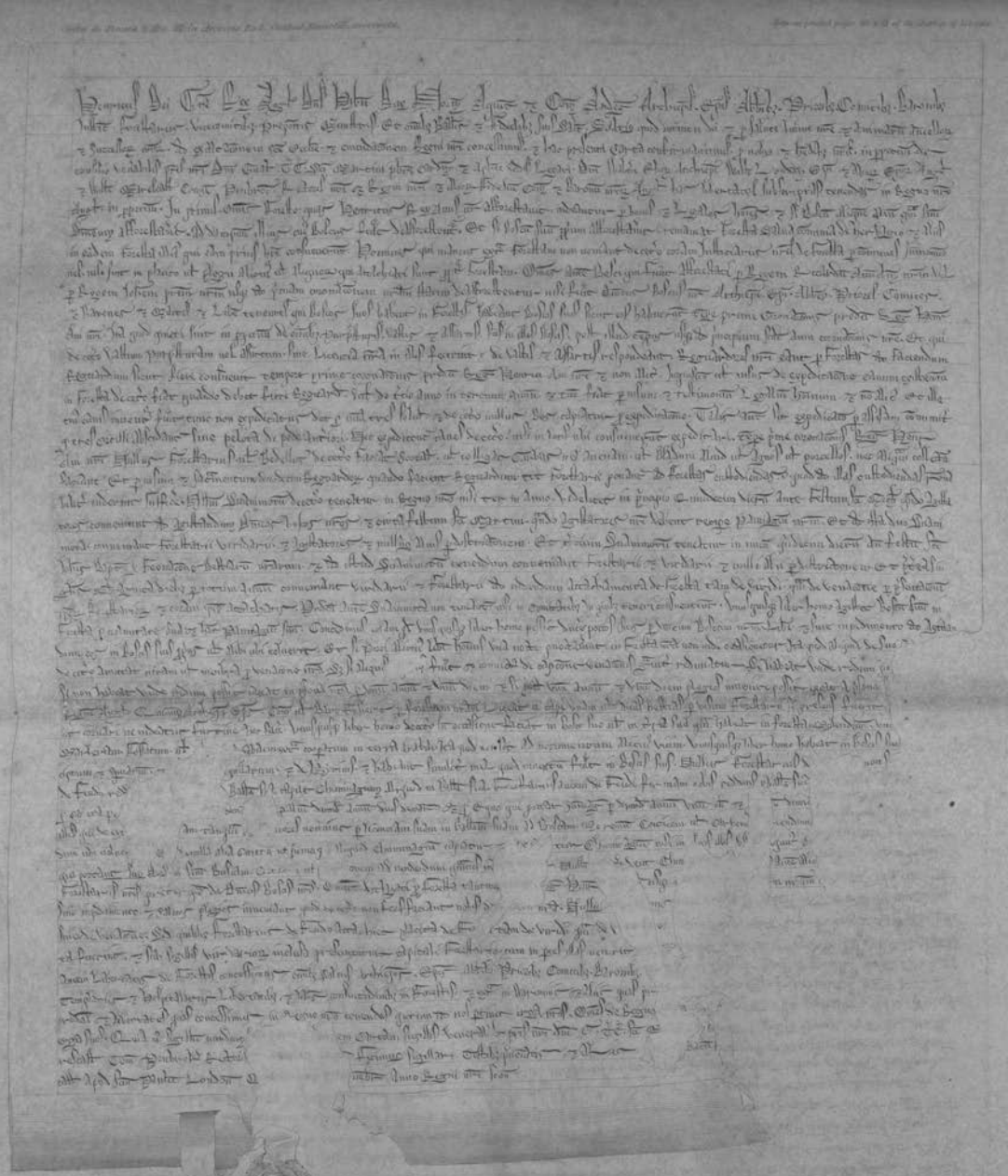
Soccagii vł Burgagii nⁱ iꝑa feodifirma debeat serviciū militare. Nos nō habebimꝰ custodiam ħedis vł ꝓre alicujꝰ qᵃm tenet de alio ꝑ serviciū militare occõne alicujꝰ ꝑve Serg̃ntarie qᵃm tenet de noƀ ꝑ serviciū reddendi Cultellos vł Sagittas vł hujꝰmodi. Nulłs Bałłs ponat deceꝯo aliquē ad legem manifestā nec ad jurañitū simplici loquela sua, sine testibꝫ fidelibꝫ ad hoc inductis. Nullꝰ liƀ ħo capiatʳ vł impⁱsonetʳ aut dissaisietʳ de liƀo teneñito suo vł liƀtatibꝫ vł liƀis consuetudinibꝫ suis, aut utlagetʳ, aut exuletʳ, aut aliquo alio mᵒ destruatʳ, nec sup eū ibimus nec sup eū mittemꝰ, nⁱ ꝑ legale judiciū pariū suoꝝ vł ꝑ legem ꝓre. Nulli vendemꝰ, nłi negabimꝰ aut differemꝰ Rectum aut Justiciā. Oñis m̃catores nⁱ publice antea ꝓhibiti fu̇̃int, ħant salvū & securū ꝺuctū exire de Angł & venire in Angł & morari & ire ꝑ Angł, tam ꝑ ꝓram qᵃm ꝑ aqᵃm ad emendendū vł vendendū sine oñibꝫ toltis malis ꝑ antiquas & rectas consuetudines ꝑterqᵃm in tempe Guerre. Et si sint de ꝓra ꝺtª nos guerriva, & si tales inveniantʳ in ꝓra nr̃a in principio Guerre attachientʳ sine dampno corpoꝝ vł rerū donec sciatʳ a noƀ vł a capitali Justicⁱario nr̃o quomᵒ m̃catores ꝓre nr̃e tractentʳ qui tunc inveniantʳ in ꝓra ꝺª nos guerriva. Et si nr̃i salvi sint ibi alii salvi sint in ꝓra nr̃a. Si quis tenu̇̃it de aliqª excaeta sicut de honore Walingford, Boloñ, Notingehaṁ, Lancastr̃, vł de aliis escaetis, que sunt in manu nr̃a & sint Baronie & obier̃, heres ejꝰ nō det aliud releviū nec faciet noƀ aliud serviciū qᵃm faċet Baroni si illa ċet in manu Baronis & nos eodem mᵒ eam tenebimꝰ quo Baro eam tenuit. Nec nos occõne talis Baronie vł excaete habebimꝰ aliqᵃm excaetam vł custodiam aliquoꝝ hõĩm nr̃oꝝ nⁱ alibi tenu̇̃it de noƀ in capite ille qⁱ tenuit Baroniam vł excaetam. Nullus liƀ ħo deceꝯo det amplius alicui vł vendat de ꝓra sua qᵃm ut de residuo ꝓre sue possit sufficienꝯ fᵉi Dñio feodi serviciū ei debitū qđ ꝑtinet ad feodū illud. Oñis ꝑroni Abbiaꝝ qui ħnt Cartas Regū Angł de advocatõe vł antiqᵘm tenuram vł possõem ħant eaꝝ custodiam cū vacaꝯint sicut ħre debent & sicut supª declaratū ÷. Nullꝰ capiatʳ vł impⁱsonetʳ ꝑꝑ appellū femine de morte alt̃ius qᵃm viri sui. Nullus Comitatꝰ de ceꝯo teneatʳ nⁱ de mense ī mensem, & ubi major ꝓminus ċe solebat major sit. Nec aliquis Vic̃ vł Ballivus suus faciat Turnū suū ꝑ hundr̃ nisi bis in anno, & nō nⁱ in loco debito & consueto, videł, semel post Pascha & it̃m post festum Sc̃i Michaeł. Et Visus de franco plegio tūc fiat ad illum ꝓminū Sc̃i Mich̃ sine occõne, Ita scił qđ quilibꝫ ħat liƀtates suas quas ħuit & ħre ꝺsuevit tempe Henr̃ Regis Avi nr̃i, vł q̃ꝫ postea ꝑquisivit; fiat autē visus de franco plegio sic videłt qđ Pax nr̃a teneatʳ & qđ Tethinga integª sit sicut ċe consuevit, & qđ Vic̃ nō querat occõnes & qđ contentꝰ sit de eo qđ Vic̃ ħre consuevit de visu suo faciendo t̃pr Henr̃ Regis Avi nr̃i. Non liceat alicui deceꝯo dare ꝓram suam alicui domui religiose Ita qđ illam resumat tenendā de eadem domo. Nec liceat alicui domui religiose ꝓram alicujꝰ sic accipe qđ tradat eam illi a quo eam recepit tenendā: Si quis autē deceꝯo ꝓram suam alicui domui religiose sic deđit, & sup hoc ꝺvincatʳ donū suū penitꝰ cassetʳ & ꝓra illa Dñio suo illius feodi incurratʳ. Scutagiū capiatʳ deceꝯo sicut capi consuevit tempe Henr̃ Regis Avi nr̃i. Oñis autē istas consuetudies ꝑd̃cas & liƀtates qꝫs concessimus in Regno nr̃o tenendas qᵘntum ad nos ꝑtinet erga nr̃os Oñis de Regno nr̃o tam clici qᵃm laici observent qᵘntum ad se ꝑtinet erga suos. Salvis Archiep̃is, Ep̃is, Abbib̃, Priorib̃, Templariis, Hospitalariis, Comitib̃, Baronib̃, & oñib̃ aliis tam eccłiasticis ꝑsonis qᵃm sc̃aribꝫ, Liƀtatib̃ & liƀis consuetudinib̃ qꝫs pri ħuerunt. Statuimꝰ etiam de cõi consilio tocius Regni nr̃i qđ oñia Castra adultˢina, videłt, ea que a pⁱncipio Guerre mote inꝯ Dñm J. Pr̃em nr̃m et Barones suos Angł constructa fu̇̃int vł reedificata, statim diruantʳ. Quia ꝯo nōdum ħuimus Sigillum Hanc Sigillis Dñi Legati ꝑd̃ci & Com̃ W. Mariscałł Rectoris & Regni nr̃i fecimus sigillari.

CARTA de FORESTA
REGIS HENRICI III.

VI. DIE NOVEMBRIS, ANNO REGNI II.

A.D.MCCXVII.

Henricus Dei Gr̃a Rex Angł Dñs Hiƀn Dux Norm̃ Aquit̃ & Com̃ Andeg̃ Archiep̃is, Ep̃is, Aƀƀib3, Priorib3, Comitib3, Baronib3, Justic̃, Forestariis, Vicecomitib3, Prepõitis, Ministris, Et om̃ib3 Bałłis & Fidelib3 suis, Sałt̃. Sciatis quod intuitu dei & ꝑ salute anime nr̃e & animarū añcessoꝝ & Successoꝝ nr̃oꝝ, ad exalt̃ac̃onem Sc̃e Ecclie, & emendac̃onem Regni nr̃i concessimus & hac presenti Carta confirmavimus ꝑ nobis & ħedib3 nr̃is in ꝑpetuū, de consilio venabilis pr̃is nr̃i Dñi Guał T̃ T̃. Sc̃i Martini p̃ƀr̃i Cardiñ & Apłice Sedis Legati, Dñi Walt̃i Eboꝝ Archiep̃i, Wiłłi Londoñ Ep̃i & alioꝝ Ep̃oꝝ Angł & Wiłłi Marescałł Comit̃ Penbroc̃, Rectoris nr̃i & Regni nr̃i & alioꝝ Fideliū Com̃ & Baronū nr̃oꝝ Angł, has libertates subscriptas tenendas in Regno nr̃o Angł, in ꝑpetuū. In primis, Om̃es Foreste quas Henricus Rex Avus nr̃ afforestavit, videantur ꝑ bonos & Legales hōies, & si Boscū aliquē aliū qᵃm suū Dñicum afforestavit, ad dampnū illius cuiꝰ Boscus fuit deafforestentʳ. Et si Boscū suū ꝑp'um afforestavit, remaneat foresta Salva cōmuna de herbagio & aliis in eadem foresta illis qui eam prius hr̃e consueverūt. Homines qui manent extᵃ forestam non veniant deceto coram Justiciariis nr̃is de foresta ꝑ cōmunes sūmonic̃ones, nisi sint in placito vł plegii alicuiꝰ vł aliquoꝝ qui attachiati sunt ꝑpt forestam. Om̃es autē Bosci qui fuint afforestati ꝑ Regem Ricardū Avūcłm nr̃m, vel ꝑ Regem Joħem pr̃em nr̃m usq; ad p'mam coronac̃onem nr̃am statim deafforestentur nisi fuit Dñicus Boscus nr̃. Archiep̃i, Ep̃i, Aƀƀes, Priores, Comites, & Barones & Milites & Liƀe tenentes qui Boscos suos habent in Forestis, habeant Boscos suos sicut eos habuerūt tēpe prime Coronac̃onis predc̃i Reg̃ Henr̃ Avi nr̃i, Ita quod quieti sint in ꝑpetuū de om̃ib3 Purpsturis, vastis & assartis, fc̃is in illis Boscis, post illud tēpus usq; ad p'ncipium sc̃di anni coronac̃onis nr̃e. Et qui de ceto vastum purpsturam vel assartum, sine Licentia nr̃a in illis fecerint, de vastis & assartis respondeant. Reguardores nr̃i ęant ꝑ Forestas ad faciendum Reguardum sicut fieri consuevit tempore prime coronac̃onis predc̃i Reg̃ Henrici Avi nr̃i & non alit. Inquisic̃o vł visus de expeditac̃one Canum existenciū in foresta deceto fiat quando debet fieri Reguard, scił de tcio anno in tercium annū, & tūc fiat ꝑ visum & testimoniū Legaliū hōinum, & nō alit Et ille cuiꝰ canis inventꝰ fuit tunc non expeditatus det ꝑ m̃ia tres solid, & de ceto nullus Bos capiatur ꝑ expeditac̃one. Talis aut̃ sit expeditac̃o ꝑ assisam cōmunit q; tres Ortilli abscidantʳ sine pelota de pede antiori. Nec expeditentʳ canes de ceto, nisi in locis ubi consueverūt expeditari, tepe p'me coronac̃onis Reg̃ Henr̃ Avi nr̃i. Nullus Forestarius, vł Bedellus deceto faciat Scotał, vł colligat Garbas, vel avenam, vł Bladum aliud vł agnos vł porcellos, nec aliqᵃm collectā faciant Et ꝑ visum & sacᵃmentum duodecim Reguardoꝝ quando facient Reguardum, tot Forestarii ponantʳ ad Forestas custodiendas, quod ad illas custodiendas rōnabilit viderint suffic̃e. Nłłm Suanimotū de ceto teneatur in Regno nr̃o nisi ter in anno, videlicet in p'ncipio Quindecim dierū ante festum Sc̃i Micħ qᵃndo agistatores conveniunt ad agistandum Dñicos boscos nr̃os & circa festum Sc̃i Martini, qᵃndo agistatores nr̃i debent recipe Pannagiū nr̃m; Et ad ista duo Suanimota conveniant forestarii, viridarii, & agistatores, & nullus alius ꝑ districtōnem: Et tcium Suanimotū teneatur in inic̃o q'ndecim dierū añ festū Sc̃i Joħis Bapt̃, ꝑ feonac̃one Bestiarū nr̃arum, & ad istud Suanimotū tenendum conveniant forestarii & viridarii & nulli alii ꝑ districtonem. Et pt̃ea singłis Qᵃdraginta dieb3 ꝑ totum annū conveniant viridarii & forestarii ad videndum attachiamenta de Foresta, tam de viridi, qᵃm de venac̃one, ꝑ psentac̃onē ip̃oꝝ forestarioꝝ & coram ip̃is attachiatis. Predc̃a autē Suanimota non teneantʳ nisi in Comitatib3 In quib3 teneri consueverūt. Unusquisq; liber homo agistet Boscū suū in Foresta ꝑ



Carta de Foresta

II. HENRICI III.

voluntate sua, & hãt Pannagiū suū. Concedimus eciam qđ unusquisq; liber homo possit duc̃e porcos suos p dñicum Boscum nr̃m, lib̃e & sine inpedimento ad agistandum eos in Boscis suis ꝑp'iis vł alibi ubi voluerit. Et si Porci alicuj⁹ lib̃i hōinis una nocte ꝓnoctaverint in foresta nr̃a non inde occasionetur, Ita quod aliquid de suo *perdat*. *Nullus* de ceṫo amittat vitam vł menbra p venac̃one nr̃a. S3 si aliquis *capt*us fuit & convict⁹ de capc̃one venac̃onis g^a vir redimatur, Si habeat unde redimi po*ssit*, *Et* si non habeat unde redimi possit jaceat in p'sona nr̃a p unū annū & unū diem; & si post unū annū & unū diem plegios invenire possit exeat a p'so*na sin autem abjuret* Regnū Angł. Quicūq; Archiep̃s, Ep̃s, Com̃, vł Baro t'nsierit p forestam nr̃am Liceat ei cape unam vł duas Bestias p visum Forestarii si presens fuerit *sin autem faci*at cornari ne videatur furtive hoc face. Unusquisq; liber homo deceṫo sñ occasione faciat in bosco suo vł in ṫra sua q^m habeat in foresta, Molendinū, viv*arium*, *stagnum*, Marleram, Fossatum, vł *terram a*rabilem ext^a [coopatum [1]] in terra arabili; Ita quod non sit ad nocumentum alicuj⁹ vicini. Unusquisq; liber homo habeat in boscis su*is aereas an*ciptum & Spvar̃m & *falconum*, aquilarum, & de Heyrinis, & habeant similit̃ mel quod inventū fuit in Boscis suis. Nullus Forestarius d*e cetero qui* non s*it Forestarius* de Feudo redd*ens nobis firmam pro* Bałła sua capiat Chiminagium aliquod in bałła sua; Forestarius autem de Feudo firmam nobis reddens p bałła sua *capiat chiminagium*; *videlicet*, p Careta per *dimidium annum duos* denar*ios*, & p aliū dimid annū duos denar̃, & p Equo qui portat sumag̃ p dimid annū unū ob̃ & *per alī*ū dimi*dium annum obolum*, & *non nisi de* illis qui de extr*a ballivam su*am tanq^am *merca*tores veniunt p licenciam suam in bałłam suam ad Buscam, Meremū, Corticem, vł Carbon*em e*mendum & *alias ducendum ad vende*ndum ubi voluer*int*; E*t* de nulla alia Careta vł sumag̃ aliquod Chimunagiū capiatur; & *non capia*tur Chiminagiū nisi in locis illis u*bi anti*quit⁹ *capi solebat* & *debuit*. *Illi autem* qui portant sup Dorsum suū Buscam Corticem vł *carbo*nem ad vendendum q^amvis in*de vivant*, Nullū *de ce*ṫo dent Chim*inagium*. *De boscis* autē alio*rum nullum detur chiminagium* Foristariis nr̃is, preterq^am de Dñcis Boscis nr̃is. Om̃es Utlagati p foresta tantum *a tempore* Reg̃ Henr̃ *Avi nostri* usq; *ad primam Coronationem* nr̃am *veniant ad pacem nostram* sine inpedimento, & salvos plegios inveniant quod de ceṫo non forisfaciant nobis de *foresta* nr̃a. Nullus *Castellan*us *vel alius teneat placita de Foresta sive de viridi* sive de venac̃one, Sed quilib3 Forestarius de feudo attachiet placita de Fore*sta* tam de viridi q^am de *venatione* & *ea presentet Viridariis provinciarum*, & *cum irrotula*ta fuerint, & sub sigillis Viridario⁊ inclusa presententur capitali Forestario cum in ptes illas v̄enerit *ad tenendum placita Foreste* & *coram eo terminentur*. *Has* autem Libertates de Forestis consessimus om̃ib3 Salvis Archiep̃is, Ep̃is, Abbib3, Priorib3, Comitib3, Baronib3, *Militibus* & *aliis tam personis ecclesiasticis quam secularibus* Templariis & Hospitalariis, Libertatib3 & lib̃is consuetudinib3 in Forestis & ext^a, in Warenniis & aliis quas pr*ius habuerunt*. *Omnes autem istas consuetudines* predc̃as & Libertates, quas concessimus in Regno nr̃o tenendas q^ntum ad nos ptinet erga nr̃os, Om̃es de Regno *nostro tam clerici quam laici observent quantum ad se pertinet* erga suos. Quia v^o sigillū nondum *habuimus*, *presen*tem Cartam sigillis venerabił p̃ris nr̃i Dñi G. T~T~ Sc̃i *Martini presbiteri Cardinalis Apostolice Sedis Legati* & *Willelmi Ma*rescall Com̃ Penbrok, Rectoris *nostri* & *regni nostri* fecimus sigillari. Testib3 p̄hōiatis & aliis *multis*. Datū p *manus predictorum Domini Legati* & *Willelmi Marescall* apud Sc̃m Paulū Londoñ *Sexto die Nov*cb̃r, Anno Regni nr̃i sc̃do.

[1] cooptum *Lib. Scacc. X.*

MAGNA CARTA

REGIS HENRICI III.

XI. DIE FEBRUARII A.R. NONO.

A. D. MCCXXIV-V.

HENRICUS DEI Gr̃a REX Angl̃ie Dominus Hyb̃nie [Dux Normañ, Aquitañ, & Comes Andeg̃, Archiep̃is, Ep̃is, Ab̃bib̃, Priorib̃, Comitib̃, Baronib̃, Vicecomitib̃, Prepositis, Ministris, & Om̃ib̃ Ballivis & fidelib̃ suis p̃sentem Cartam inspecturis,[1]] Salutem. Sciatis qd nos intuitu dei [&[2]] p salute anime nostre & animaꝝ antecessoꝝ & successoꝝ nr̃oꝝ ad exaltatõnē sc̃e Eccl̃ie & emendatõnē Regni nr̃i, spontanea & bona volũtate nr̃a dedim⁹ & concessim⁹ Archiep̃is, [Ep̃is, Ab̃bib̃, Priorib̃, Comitib̃, Baronib̃,[3]] & om̃ib̃ de Regno nr̃o has lib̃tates subsc'ptas tenendas ī Regno nr̃o Anglie in ꝑpetuum. In Primis, concessimus Deo & hac p̃senti Carta [nr̃a[4]] confirmavim⁹ p nob̃ & heredib̃ nr̃is inꝑpetuũ, Qd Anglicana eccl̃ia libera sit & habeat [om̃ia[5]] Jura sua integra & lib̃tates suas illesas. Concessimus etiam ([6]) om̃ib̃ lib̃is hom̃ib̃ Regni nr̃i p nob̃ & h̃edib̃ nr̃is in ꝑpetuũ om̃es lib̃tates subsc'ptas, Habendas & tenendas eis & h̃edib̃ suis de nob̃ & h̃edib̃ nr̃is ([7]) Si quis Comitũ vt Baronũ nr̃oꝝ sive alioꝝ tenenciũ de nob̃ in capite p serviciũ militare mortuus fu'it & cũ decesserit heres ej⁹ plene etatis fu'it & relevium debeat, habeat h̃editatem suam p antiquũ relevĩ, Scilicet heres vt h̃edes Comitis de Baronia Comitis integra, p Centũ libras, Heres vt h̃edes Baronis de Baronia integra p Centũ libras, Heres vt h̃edes Militis de feodo militis integro p Centũ solidos ad pl'a, & qui minus debuerit, minus det scd̃m antiquam consuetudinem feodoꝝ. Si autē heres alicuj⁹ taliũ fu'it inf[a] etatē, Dñs ej⁹ nõ h̃at custodiam ej⁹ nec r̃e sue anteq'm homagiũ ej⁹ cepit, & p⁹tq'm talis heres fu'it ī custodia, cũ ad etatē ꝑvenerit, s. viginti & uni⁹ anni, hãt h̃editatē suam sine relevio & sine fine, Ita tamen qd si ip̃e dũ infra etatē fu'it, fiat miles, nich̃omin⁹ r̃a remaneat in custodia dñoꝝ suoꝝ usq; ad r̃minũ p̃d̃cm. Custos r̃e huj⁹modi h̃edis qui inf[a] etatē fu'it, nõ capiat de r̃a h̃edis nisi rationabiles exitus & rationabiles cõsuetudines & rõnabilia servicia & hoc sine destructione & vasto hom̃ũ vt rerũ. Et si nos cõmiserim⁹ custodiam alicuj⁹ talis r̃e Vicecomiti vt [alicui[8]] alii qui de [exib̃[9]] r̃e illi⁹ nob̃ debeat respond̃e & [ille[10]] destructionem de custodia fec̃it vt vastũ, nos [ab[11]] illo capiem⁹ emendam, & r̃a [cõmittet'[12]] duob̃ legalib̃ & discretis hom̃ib̃ de feodo illo qui de exitib̃ nob̃ respondeant vt [ei[13]] cui eos assignavim⁹: Et si dederim⁹ vt vendiderim⁹ alicui custodiam alicuj⁹ tal r̃e, & ille destructionem [inde[14]] fec̃it vt vastũ, amittat [ip̃am[15]] c⁹todiam & t'dat' duob̃ legalib̃ & discretis hom̃ib̃ de [feodo[16]] illo qui similit̃ nob̃ respondeant sicut p̃d̃cm est. Custos autē q'mdiũ c⁹todiam r̃e habu'it, sustentet Domos, Parcos, ([17]) [Stagna,[18]] Molendina & ce'a ad r̃ā illā ptinencia de exitib̃ r̃e ej⁹dē, & reddat h̃edi cũ ad plenā etatē ꝑvenerit, r̃ā suā totā instauratā de carucis & om̃ib̃ aliis reb̃ ad min⁹ scd̃m quod illā recepit. Hec om̃ia observent' de custodiis Archiep̃atuũ Epatuũ, Ab̃biaꝝ Prioratuũ Eccl̃iaꝝ & dignitatũ vacanciũ que ad nos ptinẽt, Excepto, qd [huj⁹modi c⁹todie[19]] vendi

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[1] &c. Archiep̃is, Ep̃is, Com̃, Baronib̃ &c. *R.*
[2] *deest R.*
[3] &c. *R.*
[4] *deest R.*
[5] *deest R.*
[6] & dedim⁹ *R.*
[7] in ꝑpetuũ. *W.*
[8] *deest R.*
[9] exitib̃ *W. R.*
[10] *deest R.*
[11] de *R.*
[12] ꝯmittat' *R.*
[13] *deest R.*
[14] *deest R.*
[15] illam *R.*
[16] feudo *R.*
[17] Vivaria, *W. R.*
[18] stangna *R.*
[19] custodie hujusmodi *R.*

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no debent. Heredes maritent[r] absq; [despagatõne.[1]] Vidua p[o]t mortē mariti sui statim & sine difficĩtate aliqua ħat maritagiū suū & ħeditatē suā, n[c] aliquid det p dote sua [vł [2]] p maritagio suo [vł [2]] p ħeditate sua, quam ħeditatē marit[o] suus & iꝑa tenuerūt die obit[o] [iꝑius mariti.[3]] Et maneat in capitali mesagio [iꝑi[o] [4]] mariti sui p q[a]d[a]ginta dies p[o]t obitū iꝑius mariti [sui,[5]] Inf[a] quos assignet[r] ei dos sua n[i] p[i]o ei fuit assignata, vel n[i] dom[o] illa sit castrū: Et si de castro recesserit, statim pvideat[r] ei dom[o] cõpetens in qua possit honeste morari, quousq; dos sua ei assignet[r] [siĉ [6]] p̄dĉm est: Et ħat rationabile estoveriū suū int[o]im de cõmuni Assignet[r] aũ ei p dote sua [o]cia pars toci[o] [o]re mariti sui que [sua fuit [7]] in vita sua nisi de minori dotata fuit ad hostiū Ecclie. Nulla vidua dist[i]ngat[r] ad se maritandam, dū viṽe volu[o]it sine marito, Ita tam̃ qđ securitatē [faciet [8]] qđ se nō maritabit sine assensu nr̃o si de noƀ tenu[o]it, vł [sine [9]] assensu dñi sui si de alio tenu[o]it. Nos [o]o vł Ballivi nr̃i nō seisiem[o] [o]ram aliquam n[r] redditū p debito aliquo, q[a]diu catalla debitoris p̄sencia [sufficiant [10]] ad debitū reddendū, & iꝑe debitor pat[o] sit inde satisfaĉe; nec plegii iꝑius debitoris dist[i]ngant[r] q[a]mdiu iꝑe capitalis debitor sufficiat ad soluc̃one debiti: Et si capitalis debitor defec̃it in soluc̃one debiti nō habens unde reddat aut redde nolit cū possit, plegii respondeant [p [11]] debito. Et si volu[o]int, ħant [o]ras & reddit[o] debitoris, quousq; sit eis satisfc̃m de debito quod ante p eo solverūt, nisi capitalis debitor monst[r]verit se inde ẽe q[i]etū versus eosdē plegios. Civitas Londoñ hãt oĩes antiquas libtates & libas cõsuetudines suas Pre[o]ea volum[o] & cõcedim[o] qđ oĩes alie civitates & Burgi & Ville & Barones de Q[i]nq; portuƀ, & oĩes portus hãnt oĩs libtates & libas consuetudines suas. Null[o] dist[i]ngat[r] ad faciendū majus serviciū de feodo militis nec de alio libero tenemento, q[a]m inde debet[r]. Cõmunia placita nō seq[i]nt[r] Curiam nr̃am, set teneant[r] in aliquo loco certo. Recognic̃ones de nova disseisina & de morte antecessoris nō capiant[r] nisi in suis comitatibƀ, & hoc modo: Nos [vł [12]] si ext[a] Regnū fuerim[o] capitalis Justiciari[o] nost[o], [mittem[o] [13]] Justiciarios p unūquemq; comitatū semel in anno qui cū militibƀ comitatuū capiant in comitatibƀ assisas p̄dĉas, & ea que in illo adventu suo in comitatu p Justiciarios p̄dĉos ad dĉas assisas capiendas missos [o]minari nō possūt, p eosdē [[o]minent[r] [14]] alibi in itin̂e suo & ea que p eosdē ꝑp[o] difficltatē aliquoꝝ articloꝝ [o]minari nō possūt, referant[r] ad Justiciarios nr̃os de Banco & ibi [o]minent[r]. Assise de ultima p̄sentatõne semp capiant[r] corā Justiciariis nr̃is de Banco & ibi [o]minent[r]. Liber homo non amerciet[r] p parvo delic̃to [set [15]] scdm modū iꝑius delic̃ti, & p magno delic̃to scdm magnitudinē delic̃ti salvo contenem̃ito suo: Et m̃cator eodem m[o] salva mercandisa sua Et ([16]) villan[o] alteri[o] q[a]m nost[o] eodē m[o] amerciet[r] salvo wainagio suo ([17]) si incidit in misericordiam nr̃am. [Et nłła [18]] p̄dĉaꝝ misc̃diaꝝ ponat[r] nisi p sac[a]mentū ꝓboꝝ & legaliū hōiū de visneto. Comites & Barones nō amercient[r] nisi p' pares suos, & nō n[i] scdm modū delic̃ti. Nłła eccliastica p̄sona am̃ciet[r] scdm q[a]ntitatē ƀnficii sui eccliastici, set scdm laicū tenementū suū & scdm q[a]ntitatē delic̃ti. Nec villa n[c] homo dist[i]ngat[r] fac̃e pontes ad riparias nisi qui [ex [19]] antiq[o] & de Jure fac̃e [debet. Nulla riparia dece[o]o defendat[r],[20]] n[i] ille que fuerūt in defenso tẽpe Reg̃ Hn̄r Avi nr̃i p eadē loca & eosdē [o]minos sic̃ ẽe cõsuever̃t tẽpe suo. Null[o] Vicecomes, Constabulari[o], Coronatores, vł alii Ballivi nr̃i teneant placita corone nr̃e. Si aliquis tenens de noƀ laicū feodū moriat[r] & Vicecomes vł Bałłs nr̃ ostendat litt[o]as nr̃as patentes de sūmonitõne nr̃a de debito quod defūc̃t[o] noƀ debuit, liceat Vicecomiti ([21]) vł Bałłio nr̃o attachiare & inbreviare catłła defūc̃ti inventa i laico feodo ad valenciam illū[o] debiti p visū legaliū hōiū; Ita tam̃ qđ nic̃ ([22]) amoveat[r] don[c] p̄solvat[r] noƀ debitū quod clarū fuit, & residuū relinquat[r] executoribƀ, ad faciendū testamentū defūc̃ti & si nic̃ noƀ debeat[r] ab iꝑo oĩnia [catalla [23]] cedant defūcto, Salvis Uxori iꝑi[o] & [pueris [24]] suis rõnabilibƀ ptibƀ suis. Null[o] Constabulari[o] vł ej[o] Bałłs capiat blada vł alia catalla alicuj[o] qui nō [sit [25]] de villa ubi castrū situ [est,[26]] n[i] statim ([27]) reddat denarios aut respectū inde hr̃e possit de volūtate venditoris, si aũ de villa iꝑa fuit inf[a] Q[a]dĝinta dies p̄ciū reddat. Nłłs Constabulari[o] dist[i]ngat aliq[ue] Militē ad dandū denarios p c[o]todia cast[i], si iꝑe eam fac̃e volu[o]it in ꝑp[a] p̄sona sua vł p aliū ꝓbū hōiem si iꝑe eam fac̃e nō possit ꝑp[o] rõnabilē causam. Et si nos

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[1] dispagatõne *W.*—disparagatõe *R.* [2] n[c] *R.* [3] mariti sui *R.* [4] *deest R.*
[5] *deest R.* [6] scdm quod *W.*—scdm qđ *R.* [7] fuit sua *R.* [8] faciat *R.*
[9] *deest R.* [10] sufficiunt *R.* [11] de *R.* [12] *deest R.* [13] mittet *R.*
[14] [o]minet[r] *R.* [15] n[i] *W. R.* [16] si *R.* [17] & *R.* [18] nulla *R.*
[19] ab *R.* [20] debnt. Nulle riparie de ceo defendāt[r] *R.* [21] nr̃o *R.* [22] inde *W. R.*
[23] *deest R.* [24] filiis *R.* [25] sunt *R.* [26] sit *R.* [27] in *W*; inde *R.*

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duxerim⁹ eū vł miserim⁹ in exercitū erit quiet⁹ [de c⁹todia [1]] scdm qⁿtitatē tēpis quo ꝑ nos fuit in exercitu de feodo ꝑ quo fecit servitiū in exercitu. Null⁹ Vicecomes vł Ballis nī vł [ali⁹ [2]] capiat equos vł [carettas [3]] alicuj⁹ ꝑ cariagio faciendo, nⁱ reddat libatōnē antiquit⁹ statutā scilicet ꝑ [caretta [4]] ad duos equos, Decem denarios ꝑ diem & ꝑ [caretta [4]] ad tres equos Qᵗtuordecim denar ꝑ diē. Nłła [caretta [4]] dñica alicuj⁹ Eccliastice ꝑsone vł Militis vł alic⁹ Dñe capiatr ꝑ Ballios ꝑdcos, nec nos nec Balli nri nᵉ alii capiem⁹ [alienū [5]] boscū ad castra vł alia agenda nra, nⁱ ꝑ volūtatē illi⁹ cuj⁹ boscus ille fuit. Nos nō tenebim⁹ ꝟras eoꝝ qui convicti fuint de felonia nⁱ ꝑ unū annū & unum diem, & tūc reddantr ꝟre dñis feodoꝝ. Oīes Kidelli decet⁹ deponantr penit⁹ ꝑ Tamisiam & [Medeweiam [6]] & ꝑ totam Angliam nⁱ ꝑ [costerā [7]] maris. Breve quod vocatr Precipe decet⁹ nō fiat alicui de aliquo teneñto, unde lib homo ꝑdat curiam suā. Una mensura Vini sit ꝑ totū Regnū nrm, & una mensura Cervisie, & una mensura Bladi scilicet Qᵃrter Londoñ & una latitudo pannoꝝ tictoꝝ & Russettoꝝ & haubgettoꝝ scilicet due ulne infᵃ Listas. De ponderibꝫ ꝟo sit ut de mensuris. Nicł detr decet⁹ ꝑ brevi inquisitōnis ab eo qui inquisitōnē petit de vita vł membris, set gⁿtis cōcedatr & nō negetr. Si [aliquis [8]] teneat de nob ꝑ feodi firmam vł soccagiū vł [ꝑ [9]] burgagiū & de alio ꝟram teneat ꝑ serviciū militare, nos nō habebim⁹ custodiam ħedis nᵉ ꝟre sue que est de feodo alteri⁹, occasione illi⁹ feodi firme vł soccagii vł burgagii, nᵉ ħebim⁹ c⁹todiam [illi⁹ [9]] feodifirme vł soccagii vł burgagii, nⁱ ipa feodifirma debeat serviciū militare. Nos nō ħebim⁹ c⁹todiam ħedis [nᵉ [10]] ꝟre alic⁹ quam tenet de alio ꝑ serviciū militare, occone alicuj⁹ ꝑve [serjanterie [11]] quam tenet de nob ꝑ serviciū reddendi nob cultellos vł sagittas vł huj⁹modi. Nłs Balls ponat decet⁹ aliquē ad legē manifestā vł ad juramentū simplici loquela [sua [12]] sine testibꝫ fidelibꝫ ad hoc inductis. Nłs lib homo [decet⁹ [13]] capiatr [aut [14]] inprisonetr aut disseisiatr de [aliquo [15]] libo teneñto suo vł libtatibꝫ vł libis consuetudinibꝫ suis aut utlagetr aut exulet aut aliquo alio modo destruatr nec sup eū ibim⁹ nᵉ sup eū mittem⁹ nⁱ ꝑ legale judiciū pariū suoꝝ vł ꝑ legē ꝟre. Nulli vendem⁹ nulli negabim⁹ aut differem⁹ rectū vł justiciam. Oīes Mercatores nⁱ publice antea ꝑhibiti fuint, hānt salvū & securū exire de Anglia & venire in Angliam & morari & ire ꝑ Angliam tam ꝑ ꝟram qª ꝑ aquā ad emendū vł vendendū sine oīnibꝫ [toltis [16]] malis, ꝑ antiquas & rectas consuetudines ꝑ ꝟqᵃm in tēpe gwerre, Et si sint de ꝟra contª nos gwerrina, Et si tales inveniantr in ꝟra nra in pncipio gwerre, attachientr sine dāpno corpoꝝ vł rerū, donᵉ sciatr a nob vł a capitali justiciario nro quomodo ꝏcatores [ꝟre nre [17]] tractentr qui tūc [invenientr [18]] in ꝟra gtª nos [gwerrina; [19]] Et si nri salvi sint ibi, alii salvi sint in ꝟra nra. Si quis tenuit de aliqua [escaeta [20]] sicut de honore ([21]) Wallingeford, Boloñ, Notingeham, Lancastr, vł de aliis ([22]) que sūt in manu nra & sint baronie, & obierit, heres ej⁹ nō det aliud releviū nec faciat nob aliud serviciū qª facet [baroni, si ipa [23]] eet ī manu baronis, & nos eodē modo ([24]) tenebim⁹ [quo [25]] baro eam tenuit, nr nos occone talis baronie vł [escaete [26]] habebim⁹ ([27]) aliquā escaetam vł c⁹todiam aliqꝝ hōiū nroꝝ nⁱ alibi tenuit de nob in capite ille qui tenuit baroniam vł [escaetam.[28]] Null⁹ lib homo decet⁹ det ampli⁹ [alicui vł vendat [29]] de ꝟra sua, qᵃm ut de residuo ꝟre sue possit sufficient⁹ fieri dño feodi serviciū ei debitū quod ꝑtinet ad feodū illd. Oīes patᵉni Abbiaꝝ qui hint Cartas Regū Anglie de advocacone vł [antiqam tenuram vł possessionē [30]] hānt eaꝝ c⁹todiam cū vacaverint sicut hre debēt & sic sup declaratū est. Null⁹ capiatr vł imprisonetr [ꝑpt appellū femine de morte alteri⁹ qᵐ viri sui.[31]] Null⁹ comitat⁹ [de cet⁹ [32]] teneatr nⁱ de mense in mensem, & ubi major ꝟmin⁹ ee solebat major sit. Nec aliquis Vicecomes [vł Balls [33]] faciat [turnū suū [34]] ꝑ Hundredū nⁱ bis in anno, & nō nⁱ in loco debito & consueto, videlicet, semel p⁹t Pascha & iterū p⁹t festū Sci Michaeł. Et visus de franco plegio tūc fiat ad illū ꝟminū [Sci Michaeł sine occone,[35]] Ita scilicet qđ quilibet hāt libtates suas, quas hūit & hre cōsuevit tēpe Reg Hnr Avi nri vl [quas [36]] p⁹tea ꝑqⁱsivit; Fiat autē visus de

[1] *desunt R.* [2] aliquis *R.* [3] carectas *R.* [4] careta *R.*
[5] *deest R.* [6] Medweiā *W.*—Medewaiā *R.* [7] Costā *R.*
[8] qⁱs *R.* [9] *deest R.* [10] vł *R.* [11] ꝟjantie *R.*
[12] *deest R.* [13] *deest W. R.* [14] vł *W.* [15] *deest R.*
[16] tolnagiis *R.* [17] *desunt R.* [18] inveniantr *R.* [19] ī guerra *R.*
[20] excaeta *R.* [21] de *W. R.* [22] escaet *W.*—excaetis *R.* [23] baronia si illa *R.*
[24] eā *W. R.* [25] qᵒ mᵒ *R.* [26] excaete *R.* [27] talē *R.*
[28] excaetā *R.* [29] vł vendat alicui *W.* [30] antiqª tenura vł possessione *R.*
[31] ꝑ appłationē alcius femine qª viri sui *R.*
[32] } *desunt R.* [34] turneū *R.*
[33] } [35] sine occasiōe ad festū sci Michis *R.* [36] *deest R.*

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f^nco plegio sic videlt qđ pax nr̃a teneat^r, & qđ Tethinga integra sit sicut ẽe consuevit & qđ Vicecomes nō querat occ̃ones & qđ content⁹ sit (1) eo qđ Vicecomes hr̃e consuevit de visu suo faciendo tēpe Reg̃ Hnr̃ avi nr̃i. Non liceat alicui de ceto dare tram suam alicui domui religiose, Ita qđ [eā 2] [resumat 3] tenendam de eadē domo, [n^c 4] liceat alicui domui religiose tram alicuj⁹ sic accipe qđ t^adat [illā ei 5] a quo [ip̃am recepit 6] tenendam Si quis autē deceto trā suam alicui domui religiose sic dedit, [& 7] sup hoc convincat^r, donū suū penit⁹ casset^r, & tra illa dño suo illi⁹ feodi (8) incurrat^r. Scutagiū deceto capiat^r sic̃ capi [solebat 9] tēpe Reg̃ Hnr̃ Avi nr̃i. Et salve sint Archiep̃is, Ep̃is, Abbib3, Priorib3, [Comitib3, Baronib3, Templariis, Hospitalariis,10] & om̄ib3 aliis tam [eccliasticis q^a sclarib3 psonis 11] libtates & libe consuetudines quas p^i⁹ habuerūt. Om̄es [aũ 13] istas consuetudines p̃dc̃as & libtates quas concessim⁹ in Regno nr̃o tenendas q^antū ad nos ptinet erga nr̃os, om̄es de Regno nr̃o tā clici q^am laici [observent 14] q^antū ad se ptinet erga suos. Pro hac autē concessione & donatõne libtatū istaꝝ, & aliaꝝ [libtatū 15] contentaꝝ in carta nr̃a de libtatib3 foreste, Archiep̃i Ep̃i, [Abbes, Priores Comites, Barones, Milites,16] libe tenentes, & om̄es de Regno nr̃o dederūt nob Q^intādecimam [ptē 17] om̄iū mobiliū suoꝝ. Concessim⁹ eciam eisdē p nob & hedib3 nr̃is qđ nec nos n^c hedes nr̃i aliquid pquirem⁹, p quod libtates in hac carta contente infringant^r vl infirment^r; Et si ab aliquo aliquid cont^a hoc pquisitū fuit nich valeat & p nllo habeat^r. 18 Hiis Testib3, Dño S. Cantuar̃ Archiep̃o, E. Londoñ, J. Bathoñ, P. Wintoñ, H. Linc̃, [R. Sarr̃,19] B. Roffeñ, W. Wigorñ, J. Elieñ, H. Hereford, R. Cicestr̃, [& 20] W. Exoñ, Ep̃is; [Abbe sc̃i Albani, Abbe sc̃i Edmundi,21] Abbe de Bello, Abbe sc̃i Aug⁹tini Cantuar̃, Abbe de Evesham̄, Abbe (22) Westmoñ, Abbe de Burgo sc̃i Pet^i, Abbe (23) Rading̃, Abbe (24) Abbendoñ, Abbe de [Maumebur̃,25] Abbe de Winchecūb, Abbe de Hida, Abbe de Certes̃, Abbe de Sireburñ, Abbe de Cerñ, Abbe de Abotebir̃, Abbe de Middlton, Abbe de Seleby, Abbe de Wyteby, Abbe de Cirencestr̃, H. de Burg̃ Justic̃, R. Com̄ Cestr̃ & Lincolñ, W. Com̄ Sarr̃, W. Com̄ Warrenñ, G. de Clar̃ Com̄ Glouc̃ & Hr̃ford, W. de Ferrar̃ Com̄ (26) Derb, W. de Mandevill Com̄ Essex, H. le Bigod Com̄ Norf, W. Com̄ Aubermarl, H. Com̄ Hereford, Johe Constabular̃ Cestr̃, Robto de Ros, Rob fil Walti, Rob de Veti ponte, Willo Brigwerr̃, Ric̃ de Munfichet, Pet^o fil Hr̃bti, Mathb fil Hr̃bti, Willo de Albiniaco, Rob Gresl, Regiñ de Brahus̃, Johe de Munem̄, Johe fil Alani, Hug̃ de Mortuo Mari, Walto de Bello Campo, Willo de sc̃o Johe, Pet^o de Mala lacu, Briano de Insula, Thom̄ de Muletoñ, Ric̃ de Argenteiñ, Gaufr̃ de Nevill, Willo Mauduit, Johe de Baalun. Dat̃ apđ Westmoñ undecimo die Februar̃, Anno Regni nr̃i Nono.

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1 de *R.* 2 illā *W. R.* 3 resignet *R.* 4 Non *R.*
5 eam illi *R.* 6 recep̃ illā *R.* 7 *deest R.* 8 penit⁹ *R.*
9 ꝯsuevit *R.* 10 Templariis, [Templar̃, *R.*] Hospitalar̃, Comitib3, Baronib3, *W. R.*
11 ecc^asticis psonis q^a secularib3 *R.* 13 *deest R.* 14 observant *R.*
15 *deest R.* 16 &c. & *R.* 17 *deest R.* 18 *Explicit Intratio R.*
19 *deest W.* 20 *deest W.* 21 Abbe sc̃i Edmūdi, Abbe sc̃i Albāi, *W.*
22, 23, 24 } de *W.* 25 Maumebir̃ *W.* 26 de *W.*

CARTA de FOREST A
REGIS HENRICI III.

XI. DIE FEBRUARII, A. R. NONO.

A.D.MCCXXIV-V.

[HENRIC]US DEI Gr̃a REX Anglie Dominus Hybñ Dux Normanñ Aquitañ & Com̃ Andeg̃ Archiep̃is, Epis, Abbib3, Priorib3, Comitib3, Baronib3, Justiciariis, [Forestariis, Vice]comitib3, Prepositis, Minist's, & Om̃ib3 Ballivis & fidelib3 suis p̄sentem Cartam inspecturis, Salutem. Sciatis qđ nos, intuitu Dei & p̄ salute anime nostre & animaꝝ Antecessoꝝ & successoꝝ nr̃oꝝ, ad exaltac̃onē Sc̃e Eccl̃ie & emendac̃onē Regni nostri, spontanea & bona volūtate nr̃a dedim⁹ & cōcessim⁹ Archiep̃is, Ep̃is, Comitib3, Baronib3, & om̃ib3 de Regno nr̃o has lib̃tates subsc'ptas tenendas in Regno nr̃o Angł in p̄petuū. In Primis, Om̃es foreste quas Hn̄r̃ Rex Avus nost̄ afforestavit, videant' p̄ bonos & legales hom̃es, & si boscū aliquē aliū q'm suū dn̄icū afforestav̄it ad dampnū illi⁹ cuj⁹ boscus ille fu̇it deafforestet', & si boscū suū p̄p'ū afforestav̄it, remaneat foresta, salva cōmuna de herbagio & aliis ī cadē foresta illis qui p'us eā h̄re. cōsueverūt. Homines v̄o q' manēt ext' forestā nō veniant dece᷒o corā Justiciariis nr̃is de foresta p̄ cōmunes sūmonic̃ones, nisi sīt ī placito v̄t plegii alicuj⁹ v̄t aliq'ꝝ qui attachiati sūt p̄p̄ forestā. Om̃es au᷒ bosci qui fu̇int afforestati p̄ Regē Ricarđ Avūcłm nr̃m, v̄t p̄ Regē Joh̄em p̄rem nr̃m, usq; ad p'mā coronac̃onē nr̃am, statī deafforestent' n' sit dn̄ic⁹ bosc⁹ nr̃. Archiep̃i, Ep̃i, Abbes, Priores, Comites, Barones, Milites, lib̃e tenentes, q' h̄nt boscos suos ī forestis, h̄ant [bo]scos suos sic̃ eos h̄ue᷒t tēp̄e p'me Coronac̃onis Reg̃ Henr̃ Avi nr̃i; Ita qđ q'eti sīt ī p̄petuū de om̃ib3 p̄presturis, vastis & essartis fc̃is ī illis boscis p⁹t ilłd tēp⁹ usq; ad p'ncipiū sc̃di anni Coron̄ nr̃e. Et qui [dece᷒o vastū] v̄t p̄p̄sturā sine licencia nr̃a ī illis fec̃it, v̄t essartū, de vastis p̄p̄sturis & essartis respondeāt. Regardores nr̃i eant p̄ forestas ad faciendū regardū sic̃ fieri cōsuevit tēp̄e p'me Coronac̃ois Reg̃ Hn̄r̃ [avi nr̃i & nō] ali᷒. Inquisitio v̄t visus de expeditac̃one canū existenciū ī foresta dece᷒o fiat q'ndo fieri debet regardū, scilicet de ᷒cio anno ī ᷒ciū annū, & tc̃ fiat [p̄ visū & testimoniū legaliū hōiū & nō alr, & ille c⁹ canis inv]enc⁹ fu̇it tūc. nō expeditat⁹ det p̄ misc̃dia tres solidos; & dece᷒o nł̄s Bos capiat' p̄ expeditac̃one. ' Talis au᷒ sit expeditatio p̄ assisā cōmuni᷒ qđ t's [ortilli abscidātur sine pelota de pede an᷒iori; n' expedite]nt' canes dece᷒o n' ī locis ubi cōsueverūt expeditari tēp̄e p'me Coronac̃ois p̄dc̃i Reg̃ Henr̃ Avi nr̃i. Nł̄s forestari⁹ v̄t bedell⁹ dece᷒o faciat scottallas v[t colligat garbas v̄t avenā v̄t bladū aliqđ, v̄t agnos] v̄t purcellos n' aliquā collec̃tā faciat, & p̄ visū & sac'mentū Duodecim regardoꝝ q'ndo facient regardū, tot forestarii ponant' ad forestas c⁹todiendas qu[ot ad illas c⁹todiēdas rōnabili᷒ vidint suffic̃e. Nu]llū swanimotū dece᷒o teneat' ī Regno nr̃o n' ter ī anno, videlicet, ī p'ncipio Q'ndecī dierū ante festū Sc̃i Michael q'ndo Agistatores nr̃i cōveniūt ad [agistādm dn̄icos boscos nr̃os, & circa festum Sc̃i Martini q'ndo Agi]statores nr̃i debēt recipe pañagiū nr̃m; & ad ista duo swanimota cōveniāt forestarii viridarii & agistatores & nł̄i alii p̄ distric̃tionē. Et ᷒ciū Swanimotū teneat' in inicio q'ndecim dieꝝ āte festū Sc̃i Joh̄ī]s Bap̄e p̄ feonac̃one bestiaꝝ nr̃aꝝ, & ad ilłd swanimotū tenendū cōveniāt forestarii & viridarii & nō alii p̄ dist'c̃tionē: p̄t̄ea sing[ulis q'dragīta diebꝫ p̄ totū añū cōveniāt forestarii & viridarii a]d faciendū attachiamenta de foresta, tā de viridi q'm de venac̃one p̄ p̄sentac̃onē forestarioꝝ ip̄oꝝ & corā ip̄is attachiatis. Predc̃a au᷒ [swanimota nō teneāt' n' in Comitatib3 in quib3 teneri cōsueverūt.] Un⁹q'sq; liber hō agistet boscū suū quē h̄t ī foresta p̄ volūtate sua & h̄at pānagiū suū. Concedim⁹ ecīa qđ un⁹quisq; lib̃ hō duc̃e possit porcos su[os p̄ dn̄icū boscū nr̃m lib̃e et sine inpedim̄to ad agistādū eos in bosci]s suis p̄p'is v̄t alibi ubi volu᷒it. Et si porci alicuj⁹ lib̃i hōis una noc̃te p̄noctav̄int ī foresta nr̃a, nō inde occasionet' unde aliquid de suo p̄dat. Nł̄s [dece᷒o amittat vitā v̄t mēbra p̄ venac̃oe nr̃a, set si q's] capt⁹ fu̇it & cōvic̃t⁹ de capcione venac̃onis g'avi᷒ redimat', si h̄at unde redimi possit, si au᷒ nō h̄at unde redimi possit, Jaceat ī p'sona nr̃a p̄ unū annū

Carta de Foresta

IX. HENRICI III.

[et unū diē, & si p⁹t unū añū et unū diē plegios inve]nire possit, exeat de p'sona, sin autē abjuret Regnū Angl. Q'cūq, Archiēps, Ēps, Com̄, vł Baro veniens ad nos ad mandatū nr̄m t'nsierit p forestā nr̄am [liceat ei capę unā bestiā vł duas, p visū forestariī] si p̄sens fūit, sin aū, faciat cornari ne videat' furtive hoc fac̄e; Idem liceat eis ī redeundo fac̄e sic̄ p̄dc̄m est. Un⁹q'sq, liḃ ħo deceꝑo sine occ̄one faciat ī bosco [suo vł in ꝑra sua quā ħt in foresta molendinū vivari]ū, Stagnū, Marlerā, fossatū, vł ꝑrā arabilē ext' cooptū ī terra arabili; Ita qđ nō sit ad nocumentū alicuj⁹ vicini. Un⁹q'sq, liḃ hō ħat ī boscis suis aerias Ancipitrū [Espvarioꝛ, falconū, Aq'laꝛ, et de Heyrinis, et] ħat similiꝑ mel quod inventū fūit ī boscis suis. Nłls Forestari⁹ deceꝑo, q' nō sit Forestari⁹ de feodo firmam noḃ reddens p bałlia sua capiat cheminagiū aliquod ī bałlia sua; fo[restari⁹ aū de feodo firmā nobis red]dens p bałlia sua capiat cheminagiū, videlicet p caretta p dimidiū annū duos denarios & p aliū dimiđ annū duos denar̄, & p equo q' portat sūmagiū p dimidiū annū obo[lū & p aliū dimidiū annū obol]ū & nō n' de illis qui de ext' Bałliam suā tamq'm m̄catores veniūt p licenciā suā ī bałliam suā ad buscā, meremiū, corticē vł carbonē emendū & alias ducendū ad vendenđ [ubi volūint; & de nłła al]ia caretta vł sūmagio aliquo cheminagiū capiat', & nō capiat' cheminagiū n' ī locis in q'bꝫ antiqu't⁹ capi solebat & debuit. Illi aū q' portāt sup dorsū suū buscā corticē vł carbonē [ad vēdēdū, quamvis ī]nde vivant, nłłm deceꝑo dent cheminagiū. Om̄es Utlagati p foresta tm̄ a tēpe Reg̃ Hn̄r̄ avi nr̄i usq, ad p'mā Coron̄ nr̄am, veniāt ad pacē nr̄am sine impedim̄to & salvos pl[egios inveniāt qđ de ce]ꝑo nō forisfacient noḃ de foresta nr̄a. Nłls Castellan⁹ teneat placita de foresť sive de viridi sive de Venac̄one, set q'libet forestari⁹ de feodo attachiet placita de foresť tā de viri[di q'm de venac̄oe] & ea p̄sentet viridariis p̄vinciaꝛ; & cū inrotłata fūint & sub sigillis viridarioꝛ īclusa p̄sentent' capitali forestario nr̄o, cū ī ptes illas veꝑit ad tenendū placita foreste, & corā eo ꝑ[minēt'. Has aū] liḃtates de forestis cōcessim⁹ om̄ibꝫ: Salvis Archiēpis, Ēpis, Aḃbibꝫ, Prioribꝫ, Comitibꝫ, Baronibꝫ, Militibꝫ & aliis tam p̄sonis eccł̄iasticis q' sc̄aribꝫ, Templariis, & Hospitalariis liḃtatibꝫ & liḃ[is cōsuetud]inibꝫ ī forestis & ext', In Warennis & aliis quas p'us habuer̄t. Om̄es aū istas cōsuetudines p̄dc̄as & liḃtates, quas ꝯcessim⁹ in Regno nr̄o tenendas q'ntū ad nos ptinet erga nr̄os, Om̄es de regno nr̄o o[bs̄vēt] q'ntū ad se ptinet erga suos: ꝑ hac ig' concessione & donac̄one liḃtatū istaꝛ & aliaꝛ liḃtatū contentaꝛ ī majori Carta nr̄a de aliis liḃtatibꝫ, Archiēpi, Ēpi, Aḃbes, Priores, Comites, Barones, Milites, liḃe tenentes, & om̄s de Regno nr̄o dederūt noḃ Q'ntamdecimam ptē om̄iū mobiliū suoꝛ. Concessim⁹ ecīa eisdē p noḃ & ħedibꝫ nr̄is qđ nec nos n' ħedes nr̄i aliquid pq'rem⁹, p quođ liḃtates in hac Carta contente infringant' vł infirment': Et si ab aliquo aliquid ꝯ' hoc pq'sitū fūit nic̄ł valeat & p nłło ħeat'. Hiis Testibꝫ, Dn̄o S. Cantuar̄ Archiēpo, E. London̄, J. Bathon̄, P. Winton̄, H Lincoln̄, R. Sar̄, B. Roffen̄, W. Wigorn̄, J. Elien̄, H. Hereford, R. Cicestr̄, W. Exon̄, Ēpis; Aḃbe Sc̄i Edmundi, Aḃbe Sc̄i Albani, Aḃbe de Belło, Aḃbe Sc̄i Aug⁹tini Cantuar̄, Aḃbe de Evesham, Aḃbe de Westmon̄, Aḃbe de Burgo Sc̄i Pet', Aḃbe de Radinḡ, Aḃbe de Abendon̄, Aḃbe de Maumebir̄, Aḃbe de Winchecūb, Aḃbe de Hyda, Aḃbe de Certeš, Aḃbe de Sireb'n, Aḃbe de Cern̄, Aḃbe de Abotebir̄, Aḃbe de Middłton̄, Aḃbe de Seleby, Aḃbe de Wyteby, Aḃbe de Cirencestr̄, H. de Burḡ Justiciar̄, R. Com̄ Cestr̄ & Linc̄, W. Com̄ Sar̄, W. Com̄ Warenn̄, G. de Clar̄ Com̄ Glouc̄ & Hłford, W. de Ferrar̄ Com̄ de Derby, W. de Mandevił Com̄ Essex, H. le Bigod Com̄ Norf, W. Com̄ Aubmarł, H. Com̄ Hereford, Joñe Constabular̄ Cestr̄, Roḃ de Ros, Roḃ fit Walt̄i, Roḃ de Vet̄i Ponte, Wiłło B'gwer̄, Ric̄ de Munfic̄ł, Pet° fit Herbti, Matł̄o fit Herbti, Wiłło de Albiniaco, Roḃ Gresł, Regīn de Brahus, Joñe de Munem̄, Joñe fit Alani, Hug̃ de mortuo mari, Walt̄ de bello Campo, Wiłło de sc̄o Joñe, Pet° de mala lacu, B'ano de Insula, Thom̄ de Muletoñ, Ric̄ de Argentein, Gaufr̄ de Nevił, Wiłlo Mauduit, Joñe de Baalun. Dat̄ apd Westmon̄ undecimo die Februar̄ Anno Regni nr̄i Nono.

Carta Confirmationis
REGIS HENRICI III.

XXVIII. JANUARII, A. R. XXI.
A.D. MCCXXXVI-VII.

[HENRICUS Dei gr̃a Rex Angł Dñs Hybn Dux Norm̃ & Aquit̃ Com̃ Andeg̃ Om̃ib3 [1]] Xp̃i fidelib3 p̃sentem̃ Cartam inspect'is, Salt̃. Sciatis qd̃ intuitu Dei, & p̱ salute anime nostre & animaꝝ Antecessoꝝ & heredū nostroꝝ (2) ad Exaltat̃onē Sc̃e Ecclie & emendat̃onē Regni nost', concessim⁹ & hac Carta nostra confirmavim⁹ Archiep̃is, Ep̃is, Abbib3, Priorib3, Comitib3, Baronib3, Militib3, lib̃is hom̃ib3 & om̃ib3 de Regno nostro Anglie om̃es lib̃tates & lib̃as consuetudines contentas in Cartis nost's quas eisdem fidelib3 nr̃is fieri fecim⁹ cum minoris essem⁹ etatis, scilicet tam in Magna Carta nr̃a q̃m in Carta nr̃a de Foresta. Et volum⁹ & p̃cipim⁹ p̱ nob̃ & heredib3 nost's qd̃ p̃fati fideles nost' & successores & heredes eoꝝ habeant & teneant in ppetuū om̃es lib̃tates & lib̃as cōsuetudines p̃d̃cas Non obstante eo qd̃ p̃d̃ce Carte confect̃e fuerūt cum minoris essem⁹ etatis ut p̃d̃cm est. Hiis Testib3 venerabilib3 Pat'b3 E. Archiep̃o Cantuar̃, P. Wintoñ, J. Bathoñ, R. Dunolm̃, R. Londoñ, W. Karł, W. Exoñ, R. Sar̃, H. Elyeñ, R. Linc̃, R. Hereford, A.Coventr̃ & Lychefeld Ep̃is; W.Valenc̃, [& [3]] W. Wygorn̄ Electis; R. Comite Cornub̃ & Pict̃av̄, [J. Com̃ Cestr̃ & Huntedoñ, J. Com̃ Linc̃ Constabuł Cestr̃, G. Marescałł Com̃ Pembr̃,[4]] W. Com̃ de Ferrar̃, W. Com̃ Warenn̄, H. Com̃ Kanc̃, H. Com̃ Essex & Hereford, Simone de Monteforti, Witło Lungesp̃, Witło de Ferrar̃, Witło de Vescy, Ric̃ de Percy, Ric̃ de Munfichet, Witło de Ros, Joh̃e Byset, Gilb̃to de Umframvitł, Witło de Lancastr̃, Witło de Cantilupo, Walt̃o de Clifford, Joh̃e Monem̃, Rad̃ de Mortuo Mari, Witło Mauduit, Rog̃o la Zuch̃, Oliv̄o de Vallib3, Gilb̃to Basset, & aliis. Dat̃ p̱ manū venabilis pat's R. Cycestr̃ Ep̃i Cancellar̃ nost' apd̃ Westmonastet̃ xxviij° die Januar̃ anno Regni nost' vicesimo primo. (5)

[1] p̱ Om̃ib3 [2] & [3] *deest*
[4] [Joh̃ Com̃ Cestr̃ & Hunt̃, G. Marescałł Comite Penbr̃,*] J. Com̃ Linc̃ & Const̃ Cestr̃,
* *Inter lineas inserta.*
[5] Consimilē Cartam hñt Archi Ep̃i Abbes Priores Com̃ Barones & om̃s alii de Com̃ Suthant̃.

MAGNA CARTA
REGIS HENRICI III.

XI. DIE FEBRUARII, A. R. XXXVI°.
A.D. MCCLI-II.

Henr̃ di gr̃a Rex Angł Dñs Hyberñ Dux Norm̃, Aquietañ & Com̃ And̃ Archiep̃is, Ep̃is, Abbatib3, Priorib3, Com̃, Baroñ, Vic̃, p̃p̈ositis ministris & om̃ib3 fidelibus suis p̃sentē cartā Inspect̃ur̃ salm. Sciatis qd̃ nos Intuitu di & pro salute anime nr̃e & ãiaꝝ aĩcessoꝝ & succ̃ nr̃oꝝ & ad exaltac̃oem sc̃e ecc̃e & emendac̃oem regni nr̃i & spontanea & bona voluntate nr̃a concessimus Archiep̃is, Ep̃is, Comitibus, Baroñ & om̃ib3 de regno nro has [lit̃as [1]] tenendas In regno nr̃o Angłe inppetuū. [[2]In p'mis concessimus đo & h^c p̃senti carta nr̃a vimus pro nobis & heredibus nr̃is In ppetuū de consilio venabilis pat's nr̃i Dñi Guałt martini p̃sbr̃ cardinał & aplice sedis delegati, Walt̃i Eborac̃ Archiep̃i Willi Londoñ ep̃i Ep̃oꝝ Anglie & Willi Marescalli Com̃ Penbroc Rectoŕ nr̃i & regni nr̃i & alioꝝ fideliū baroñ nr̃oꝝ Anglie has lib̃tates sbsc'ptas tenēdas In regno nr̃o Angł inppetuū.[2]] In p'mis c..

[1] *pravè, ut videtur, pro* libertates
[2] *Vide Magnam Cartam Henrici III. A.D.* 1217.

to face page 28 of the Charters

Entry upon the Charter Roll 21 H. III.

Carta de libertatibus

[illegible] Omnibz ad fidelibz psentes carta inspexis salt. Datos ad manendi dr ex fidelitate nre ad mandat sacrosanctor ecclesie nre ad honorem dei exaltacionem ecclie et emendacionem regni nri concessim hac carta confirmasse pro nob et hered nris quantum in nob est libertates quas dns Rex pater noster et progenitores nri dederunt regibz scotor hered suis et omnibz de regno nro habend et tenend de nob et hered nris libertates consuetudines concessas in cartis nris. Ita quod fidelibz nris de regno nro scilicet illis qui nob et hered nris fidelitatem fecerint et homagia sua nob inde fecerint salvis sibi fidelitatibz suis quas nob debent de regno nro illud quod ad nos et hered nros pertinet et pertinere debet in futurum. Et si aliquis de fidelibz nris de regno nro qui de nob tenet in capite vel alio modo per cartas suas vel per cartas patris sui vel fratris sui vel per cartas antecessorum suorum quas nos inspeximus vel per antiquam tenuram et possessionem nostram vel antecessorum nostrorum vel per cartas hered nostrorum vel per antiquam tenuram et possessionem hered nostrorum vel per cartas quas nos vel hered nri dederint ante primam coronacionem nostram vel per cartas quas nos vel hered nri dederint postea quibuscumque personis religiosis vel aliis vel per antiquam tenuram et possessionem nostram vel hered nostrorum

Magna Carta

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ðo & hᵃc p̄senti carta nr̄a 9fmavimus p nobis & h̄edibus nr̄is inppetuū qđ Anglicana ecc̄a lib̄a sit & h̄eat sua Jura Integ[a] & libertates suas illesas. Concessimus & & dedimus omnib3 lib̄is hominib3 regni nr̄i p nobis & heredibus nr̄is inppetuū om̄es libertates subscriptas h̄ndas & tenendas eis & heredibus suis de nobis & h̄edibus nr̄is: Si quis comitū vł baronū nr̄oz sive alioz tenenciū de nobis In capite p s̄viciū militare mortuus fu̅it & cū decesserit h̄es ejus plene etatis fu̅it & releviū debeat h̄eat hereditatē suā p antiquū relevium, scił, h̄es vł h̄edes comitis de baronia comitis Integra p cent̄ lib[a]s; h̄es vł h̄edes baronis de baronia Integ[a] p cent̄ [marc̄; [1]] Heres vł h̄edes militis de feođ militar̄ Integr̄ p centū soł ad plus, & qui minus debu̅it minus det sc̄dm antiq[a] 9suetudīem feodoz; si aū h̄es alicujus taliū fu̅it Infra etatē dn̄s ejus nō h̄eat custodiam ejus nec t̄re sue añq[a]m homagiū suū cepit. Et postq[a] tał h̄es fu̅it In custodia cū ad etatē pvenu̅it, scił xx[ti] & unius anni, h̄eat h̄editatē suam sine relevio & sine fine; Ita tn̄ qđ si ip̄e Infra etatē fu̅it fiat miles nichilhominus t̄ra remaneat In custodia dn̄oz suoz usq; ad p̄dcm t̄minū. Custos t̄re hujus h̄edis q[i] infra etatē [si [2]] fu̅it, nō capiat de t̄ra h̄edis n[i] rōnabiles exitus & rōnabiles consuetudies & rōnabilia servicia, & hoc sine destrucc̄one & vasto hominū vł rerū. Et si nos cōmiserimus custodiam alicujus tał t̄re Vicec̄ vł alicui alii q[i] de exitib3 t̄re illius [nō [3]] debeat respond̄e, & ille destrucc̄oem de custodia fec̄it vł vastū, nos ab eo capiemus emendam, & t̄ra cōmittatur duob3 legalib3 & discretis h̄ōibus de feodo illo q[i] de exitibus nobis respondeāt vł ei cui nos assignav̄imus. Et si nos dederimus vel vendiderimus alicui custodiam alicujus tał t̄re & ille destrucc̄onem inde fec̄it, vł vastū, amittat illā custodiam & t[a]dat[r] duob3 legalibus & discretis h̄ōibus de feodo illo q[i] sim[r] nobis respondeāt sicut p̄dc̄m est. Custos aū q[s]diu custodiam t̄re h̄u̅it sustentet domos parcos, vivaria, stagna, molendina &c. ad t̄rā illā ptinentia de exitibus t̄re [easdem [4]] reddat h̄edi cū ad plenā etatē pvenu̅it t̄rā suam totam Instauratā de carucis & ōibus aliis rebus ad minus sc̄dm qđ illā Invenit; hec om̄ia observant[r] de custodibus Archiep̄atuum, Ep̄atuum, Abbaciaz, prioratuū, ecc̄az, & dignitatū vacanciū que ad nos ptinēt, excepto qđ custodie hujusmodi vendi deb̄nt nō deb̄ent. Heredes maritentur absq; dispagōe. Vidua post mortē mariti sui, statim & sine difficultate aliq[a] h̄at maritagiū suū & h̄editatem suam n[c] aliq[i]d det pro dote sua, & p maritagio suo vł hereditate sua q[a] h̄editatē maritus suus & ip̄a ten̅u̅nt die obitus sui ip̄ius mariti, & maneat In capitali mesuagio mariti sui p quadraginta dies post obitū ip̄ius mariti sui, Infra quos ei assignet[r] dos sua n[i] p[i]us ei fu̅it assignata, vel n[i] domus illa sit castrū, & si de castro recesserit statī provideat[r] ei domus 9petēs In q[i] possit honeste morari quousq; dos sua ei assignetur sc̄dm qđ p̄dc̄m est, & h̄eat rōnabilem estoviū suū int̄im de cōmuni: assignetur autē ei p dote sua t̄cia ps tocius t̄re mariti sui, que sua fuit In vita sua, n[i] de minor̄ dotata fu̅it ad hostiū ecc̄e. Nulla vidua distringatur ad maritandū se dū volu̅it vi̅e sine viro; Ita tn̄ qđ securitatē faciet qđ se nō maritabit sn̄ assensu nr̄o si de nobis tenu̅it vł sine assensu dn̄i sui si de alio tenu̅it. Nos v̄o vel ball̄i nr̄i nō saisiemus t̄ram aliq[a] vel redditū pro debito aliq[o] [q[a]m [5]] debitor̄ catella p̄sencia sufficiūt ad debitū reddendū & ip̄e debitor sit paratus inde satisfac̄e: n[c] plegii ip̄ius debitor̄ distringantur q[a]mdiu ip̄e capitał debitor sufficiat ad solōem debiti. Et si capitalis debitor deffec̄it in solucōne debiti, nec habēs unde reddat aut redd̄e nolit cum possit, plegii respōdeāt de debito, & si voluerīt, h̄eant t̄ras & redditus debitor̄ q[a]usq; sit eis fatisfc̄m de debito qđ añ p eo solv̄ūt n[i] capitalis debitor monstrav̄it se inde c̄e quietum v̄sus eosdē plegios. Civitas Londoñ h̄eat om̄es antiq[s] libertates & liberas 9suetudīes suas. Pret̄ea volumus & 9cedimus qđ om̄es alie libertates civitates & om̄es burgi & ville & baronie de q[i]nq; portubus & om̄s portus h̄eant om̄es libertates & om̄es liberas 9suetudies suas. Nullus [rest[i]ngatur [6]] ad faciendū majus s̄viciū de feodo militis nec de alio lib̄o tenem̄to q[s] inde debet[r]. Communia & placita nō seq[a]ntur cuī nr̄am s3 [t̄minant[r] In alio [7]] c̄to loco. Recognicōes de nova disseisina & de morte añcessor̄ nō capiantur n[i] In suis comitatibus & hoc modo; Nos ([8]) si ex[a] regnū fu̅imus Capitalis justiciar̄ nr̄ [mittet [9]] justic̄ p unumq̄mq; comit̄ semel in anno qui cū militib3 comit̄ capiant In comitat̄ assisas p̄dc̄as. Et ea & que in illo adventu suo in comitatu p justic̄ p̄dc̄os ad dc̄as assisas capiendas missos t̄minari nō possūt p eosdē t̄minent[r] in itin̄e suo, & ea que p eosdē p̄p difficultatē aliq[o]z articloz t̄minari nō possūt referant[r] ad Justic̄ nr̄os de banco & ibi t̄minent[r]. Et assise de

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[1] libras *Magnæ Cartæ Johannis*; 1 *Hen. III.*; *A.D.*1217; 9 *Hen. III.*
[2] *pravè inseritur*
[3] nobis
[4] ejusdem, &
[5] quamdiu
[6] distringatur
[7] teneantur in aliquo
[8] vel
[9] mittemus

Magnæ Cartæ Johannis; 1 *Hen. III.*; *A.D.*1217; 9 *Hen. III.*

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ultima ꝑsentacõne semꝑ capiantur corā Justic̃ nr̃is de banco & ibi ꝛminent'. liber ħo nō amc̃iet' ꝑ ꝓvo delicto n' scdm modū ip̃ius delicti; & ꝑ magno delicto scdm magnitudiem delicti, salvo [teñito [1]] suo. Et mc̃ator eodē modo salvꝫ mc̃ādisa sua, vilanus alt̃ius q"m nr̃ eodē modo amc̃iatur salvo Waynagio suo si Inciderit In manū nr̃am; & nłła ꝑdc̃aꝫ misericordiaꝫ pōatur n' ꝑ sac"mentū ꝑboꝫ & legaliū hominū de visneto. Comit̃, Baroñ, nō amc̃ient' n' ꝑ pares suos & nō n' scdm modū ꝑius delicti. Nulla ecc̃astica ꝑsona admc̃iet' scdm q"ntitatē beneficii ecc̃astici s3 scdm laicū teneñtū suū & scdm q"ntitatē delicti. Nec villa n' hō destringat' [ad faciend pontes vel riparias [2]] n' q' ab antiq° & de Jure fac̃e debēt. Nulla riparia de cetero defendatur n' ille fuit In defenso tēpe H. reg̃ avi nr̃i ꝑ eadē loca & eosdē ꝛminos sicut c̃e consueꝛnt tempe suo. Nułłs vic̃, ꝯstabular̃, coronator̃, vel alii ballivi nr̃i teneāt placita corone nr̃e. Si aliq's tenēs de nobis laycū feodū moriat' & vic̃ vł alius bałłs nr̃ ostendat lit̃as nr̃as patentes de sumōic̃oe nr̃a de debito qd defunctus nobis debuit, liceat vic̃ vł bałło nr̃o athachiare & Inbreviare catalla defūcti invēta In layco feodo ad valenc̃am ip̃ius debiti ꝑ visū legał hōinū; ita tn̄ qd n'l amoveat' inde don' nobis ꝑsolvat' debitū qd clarū fuit, & residuū relinqua' exsecutor̃ ad faciendū testam̃ defuncti & si n' nobis debeat' ab ip̃o cedāt defūcto salvis uxor̃ ip̃ius & puer̃ rōnabłibꝫ ptibus suis. Nułłs ꝯstabular̃ vł bałłs ejus capiat blada vł alia catalla alicujus q̃ nō sint de villa ubi castrū fuit n' statī inde deñ reddat, aut respectū inde hēre possit de voluntate vendor̃, si autē de ip̃a villa fuint infra xl. dies ꝑciū reddat. Nullus ꝯstabular̃ dist'ngat aliquē militem ad dandū deñ ꝑ custodia castri si ip̃e eā fac̃e voluerit In pp'a ꝑsona sua vel ꝑ aliū ꝑbū hōiem si ip̃e eā fac̃e nō possit ꝑp rōnabłem cām. Et si nos duximus eum vel miserimus ibi in exc̃itum er̃ q'etus de custodia scdm q"ntitatē tempis q° [ꝑ nobis [3]] fuat In exc̃itu de feodo pro q" [fec̃it ꝑ nobis in exc̃itu servicīū.[4]] Nułłs vic̃ vł bałłs nr̃ capiat eq's vł caretas alicujus ꝑ carragio faciendo n' reddat lit̃acõnem antiq'tus statut̃, scił ꝑ careta ad duos eq's x. deñ ꝑ diem, ad t's eq's xiiii. denar̃ ꝑ diem. Nulla careta dñica alicujus ecc̃astice ꝑsōe vel militis vł alicuj° [dñi [5]] capiat' ꝑ bałłos nr̃os ꝑdc̃os; n' nos n' bałli nr̃i n' alii capiemus alienū boscū ad castra vł ad alia agnda n' ꝑ voluntatē ip̃ius (6) boscus fuit: nec nos nō tenebimus ꝛras eoꝫ qui ꝯvti fuit de felonia n' ꝑ unū annū & unū diem & tūc reddan' ille ꝛre dñis feodoꝫ. Oñes decec̃o Kidelli deponantur penitus ꝑ Tamysiam [vł [7]] Medeweyam & ꝑ totā Angliam n' ꝑ costam maris. Breve qd vocat' ꝑcipe de cec̃o nō fiat alicui de lit̃o teneñto [u' [8]] liber ħō ꝑdat cuī suam. Una mensura vini fiat ꝑ totū regnū nr̃m Et una mensura servisie & una mensura bladi, scił q'rt̃iū Londoñ. Et una latitudo pannoꝫ tinctoꝫ & russetoꝫ & hauberġetoꝫ scił due ulne Inf" listas. De ponderibꝫ sit ut de mensur̃. Nichil de cec̃o det' ꝑ breve Inq'sic̃ōnis ab eo q' Inq'sic̃oem petit de vita vł de ñib's, s3 [illegible]tis concedatur & nō neget'. Si aliqis teneat de nobis ꝑ fmā feodi vel socagiū vel burgagiū nos nō ħebimus custodiam ħedis vł ꝛre ejus que est de feodo alt̃ius occasione illius feodi firme vł [socagiū vł burgagiū [9]] n' ip̃a feodi firma debeat ꝯviciū militare. [[10] Nos ū habebim° c°todiā ħedis vł ꝛre alic° q' tenet de [aliq° [11]] ꝑ servic̃ militare, occ̃oe alic° [12]] ꝓve sergancie q"m de nobis tenet ꝑ ꝯviciū reddendi nobis cultell vel sagittas vel hujusmodi. Nułłs [ꝓvus [13]] bałłs [ponet alic̃m [14]] ad aliq"m legē dece c̃o manifestam vel ad Juramentū [simplicis loquele [15]] sua sine testibus fidelibus ad hoc Inductis. Nułłs liber homo capiat' vł Inp'sonetur aut dissasietur de lit̃o tenemento suo vel de libertatibus vł lit̃is consuetudinibus suis, aut hutlagetur aut exuletur aut aliq° m° destruat' n' sup eū ibimus n' sup eū mittemus n' ꝑ legale Judiciū ꝑium suoꝫ vel ꝑ legē ꝛre. Iim nłli vendemus nłli negabimus aut defc̃emus rectū vł justiciam. Oñes mc̃ator̃ n' antea publice ꝓhibiti fuint ħeant salvū exitū & securū de Angł & venire In Angł & morari & Ire ꝑ Angł tam ꝑ aq"m q"m ꝑ ꝛram ad vendend & emendū sine oīnibus malis tołł ꝑ antiq's & rectas consuetudīes ꝓꝑq"m in tēpibus guer̃; & si sint de ꝛra ꝯt" nos guer̃ & si tal Inveniant' In ꝛra nr̃a in p'ncipio guerrie [accipientur [15]] sine dāpno corpoꝫ vel rerū don' sciat' a nobis vel a capitalibꝫ justic̃ nr̃is q°modo mc̃ator̃ ꝛre nr̃e tractentur q' [nūc [16]] Inveniantur In ꝛra cont' nos guerrina, & si nr̃i salvi sint ibi & alii salvi sint In ꝛra nr̃a. Itē si q's tenuerit de aliq' eschaeta, sicut de honore de Walingeford, Notingeh̄, Boloñ, Langastr̃, vel de aliis eschaetis q̃ sūt In manu nr̃a & sūt baroñ & obierit ħes ejus nō det aliud relevium nꝫ faciet nobis aliud ꝯviciū q' fac̃et baroñ si c̃et ꝛra illa in manu baroñ. Et nos eodm modo eam tenebimus quo baro eam tenuit. Nec nos occasione talis baroñ

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[1] conteneñto
[2] facere pontes ad riparias } *Magnæ Cartæ Johannis; 1 Hen. III.; A.D. 1217; 9 Hen. III.*
[3] ꝑ nos
[4] { fuerit in exercitu. *M. C. Johan. & 1 Hen. III.* / fecit servitium in exercitu. *M.C. A.D. 1217: & 9 Hen. III.*
[5] Dñe *M.C.A.D. 1217: & 9 Hen. III.*
[6] cujus [7] & [8] unde
[9] socagii vel burgagii
[10] alio [11] *deest*
[12] simplici loquela
[13] attachient' [14] tunc
[10–13] } *Inter lineas inserta.*
} *Magnæ Cartæ Johannis; 1 Hen. III.; A.D. 1217; 9 Hen. III.*

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vel eschaetaꝛ ħebimus aliq^{a}m eschaetam vt custodiam aliquoꝝ hominū nr̃oꝝ n^{i} alibi [tenu̇int [1]] de nobis In capite ille q^{i} tenuit baroñ vel eschaetam. Nulls liber homo det alicui de ce᷑o amplius de ꝑra sua vel vendet q^{a}m de residuo ꝑre sue possit sufficien᷑ fieri dño feođ ꝺsviciū ei debitū qđ ꝑtinet ad feođ illum. Om̃es patroni abbaciaꝛ q^{i} ħnt cartam reg̃ Angł de advocac᷑one, vel antiq^{a}m tenurā vel possõnem ħeant eaꝝ custodiam cū vacav᷑it sicut hēre debēt cū vacaverint, & sicut supra declaratū est. Nulls capiatur vel Inp^{i}sonetur ꝑp apll̃om femine de morte al᷑ius q^{a}m viri sui: [ꝑ nl̃m comiꝛ de ce᷑o teneat^{r} cuĩ sive placitū [2]] n^{i} de mense In mensem, & ubi major ꝑminus ẽe solebat major sit. Ilm nec aliq^{s} vič n^{c} balls suus faciat turnū suū ([3]) Hundr̃ n^{i} bis In anno & nō n^{i} In loco debito & consueto, videl semł post Pasch̃, & il᷑m post festū sc̃i michaelis; & visus dē f^{r}ncoplegoꝝ tūc fiat ad illū ꝑminū sc̃i Michiis sine occasiõe, Ita sit qđ q^{i}libet ħeat lib᷑tates suas q^{a}s hūit & hēre consuevit tēpe H. reg̃ avi nr̃i vel q^{a}s postea ꝓquisivit; fiat autē visus de franc᷑pl̃g̃ sic scit qđ pax nr̃a teneatur & qđ tethinga integ^{a} sit sicut ẽe consuevit [eo [4]] qđ vič nō querat occasiões & qđ ꝯtentus sit de eo qđ vič ħere consuevit de visu suo faciend̃ tempe H. reg̃ avi nr̃i. Ilm nō liceat alicui ꝑrā suā dare alicui domui religiose ita qđ illā resumat tenend̃ de eadē dom̃. Nec liceat domui alicui religiose ꝑrā alicujus sic recipe qđ tradat illi a q^{i} eam recepit tenend̃: si q^{i}s autē dece᷑o ꝑrā suā alicui domui religiose sic dedit & sup hoc cōvincatur [domus sua [5]] penitus cassetur & ꝑra illa dño feođ inferatur. Ilm [scotagiū [6]] sic de ce᷑o capiat^{r} sicut capi cōsuevit tempe H. reg̃ avi nr̃i. Et salve sint Archiep̃is, Ep̃is, Abbatibus p^{i}oribus, Templar̃, Hospitalar̃, Comiꝛ, Baroñ & om̃ibus aliis tā eccl̃asticis ꝑsonis q^{a}m sectaribus & om̃es libertates & lib̃as consuetudies q^{a}s prius ħuerūt. Om̃es autē istas consuetudies ꝑdc̃as & libertates q^{a}s concessimus In regn̄ nr̃o tenēdas q^{a}ntū ad nos ꝑtinet erga nr̃os [hões [7]] de regno nr̃o tam cl̃ici q^{a}m laici observēt q^{a}ntū ad se ꝑtinēt erga suos. Pro hac autē concessione & donac᷑one libertatum istaꝝ & aliaꝝ ꝯtentaꝝ In carta nr̃a de libertatibus foreste, Archiep̃i, Ep̃i, Abbaꝛ, p^{i}oꝛ, Comiꝛ, Baroñ, Miliꝛ, lib̃e [tenenentes [8]] & om̃es de regno nr̃o dederūt q^{i}ndecimā ꝑtē mobiliū suoꝝ. Concessimus & eisdē ꝑ nobis & ħedibus nr̃is qđ n^{c} nos n^{c} ħedes nr̃ aliquid pq^{i}remus p qđ libertates In h^{a}c carta contente Infrangantur vel infmentur. Et si ab aliq^{o} aliq^{i}d ꝯra h· fu᷑it pq^{i}situ nichil valeat & ꝑ nichilo ħeatur. Hiis testibus, dño B. Canꝛ Archiep̃o, T. Londoñ, Joħe Bathoñ, R. Vinthoñ, R. Lincolñ, R. Sarebuꝛ, & aliis ep̃is, Abbatibus, Prioꝛ, Comiꝛ, Baroñ, militibus, & ce᷑a. Datū apd Westm̃ xj. die februaꝛ Anno r̃. r̃. nr̃ xxx^{o}vi^{o}.

[1] tenuerit
[2] Nullus Comitat.[5] de ce᷑o teneat^{r} } *M.C. A.D.* 1217: *& 9 Hen. III.*
[3] ꝑ [4] & [6] Scutagiū
[5] donū suū
[7] omnes *M.C. Joh. &c.*
[8] *pravè pro* tenentes

Carta Confirmationis
REGIS HENRICI III.

XIV. DIE MARTII, ANNO REGNI XLIX.
A.D. MCCLXIV-V.

Itē de forma pacis & Juramento Regis ꝑstito sup eadē.

[R]. Om̃ib^{z} de Comitatu Eboꝝ, salm: [1]] Cum ꝓpp̃ hostilem turbacionē ħitam in regno nr̃o de unanimi assensu & voluntate nr̃a & Edwardi filii nr̃i p^{i}mogēiti, Prelatoꝝ, Comitū, Baronum & coñiitatis regni nr̃i ꝑ regni ip̃ius pace pro cujus securitate đcs Edwardus & Henr̃ filius Reg̃ Alem̃ nepos nr̃ obsides dati fuerūt concordi᷑ sit ꝓvisum, qđ quedam ordinac᷑ de unanimi assensu nr̃o ꝑlatoꝝ Comitū ac baronū predc̃oꝝ sup nr̃o & regni nr̃i statu Londoñ mense Junii anno regni nr̃i xlviij fc̃a inviolabiꝛ [obs᷑vent^{r} [2]] univ᷑sitatē vr̃am scire volum^{s} qđ nos ordinac᷑em ip̃am & pacē & t^{r}nquillitatem regni bona fide obs᷑vare & in nullo cont^{a}venire, ad Sc̃a đi Ewangelia juravim^{s}. Hoc adjecto in eodē sacr̃o speciaꝛ & exp᷑sse qđ occ᷑one fc̃oꝝ ꝑcedenciū, tempore t^{r}bac᷑is aut guerre

Juram̃tū illicitū.

[1] Henricus Dei gr̃a Rex Angł, Dñs Hib̃nie & Dux Aquitannie, Omnib^{z} de Comitatu Midđ, salutem.
[2] observetur

Carta Confirmationis.

XLIX. HENRICI III.

p̄cedentis neminē occasionabim⁹ aut inculpabim⁹ de illis aut de ꝑte illoꝝ quos tanq⁹m inimicos diffidavim⁹, puta Comites Leyc̄ & Glouc̄ & alios sibi adherentes, ac barones sive Cives nr̄os Londoñ & q⁹nq; portuū, nec alicui de p̄dc̄is dampnū faciem⁹ aut fieri ꝑcurabim⁹ nec ꝑ ballīos nr̄os aliq⁹ten⁹ fieri ꝑmittem⁹. Juravim⁹ insup qđ ea oīa que pro lib̄acione dc̄oꝝ filii nr̄i ac nepotis sunt ꝑvisa & sigillo nr̄o sigillata q⁹ntum ad nos ꝑtinet inviolabiliṫ observabimus, & ab aliis ꝑ posse nr̄o faciemus obs̄vari; volentes & consenciētes exp̄sse qđ si nos vł dc̄us Edwardus filius nr̄ cont⁹ predc̄am ordinac̄oem, ꝑvisionē nr̄am, seu juramentū quod absit in aliquo venire, seu pacē & t⁹nquillitatem regni nr̄i turbare seu occ̄one fc̄oꝝ p̄cedenciū tempore t⁹bac̄ois ac guerre p̄cedentis aliquē de predc̄is aut de ꝑte p̄dc̄oꝝ quos diffidavim⁹ occasionare, seu alicui de eis dampnū fac̄e aut fieri ꝑcurare p̄sumpserimus, liceat oīib⁹ de regno nr̄o cont⁹ nos insurgē & ad gravamen nr̄m opem & opam dare juxta posse. Ad quod ex p̄senti p̄cepto nr̄o oīes & singulos volum⁹ obligari, fidelitate & homagio nob̄ fc̄is nō obstantib⁹. Ita qđ nob̄ in nullo intendant, set oīa que g⁹vamen nr̄m respiciūt faciant, ac si in nullo nob̄ ten̄ent⁹, donec quod in hac ꝑte t⁹nsgressū fu͞it seu cōmissum cum satisfac̄one congrua in statū debitū sc̄dm p̄dc̄oꝝ ordinac̄ois & ꝑvisionis nr̄e seu juramēti for⁹m fu͞it reformatū. Quo fc̄o nobis sicut p⁹us intendentes existant. Et si aliquis alius de regno nr̄o cont⁹ p̄dc̄a vēire, seu pacē & t⁹nquillitatē regni nr̄i turbare presump̄s̄it, seu nob̄ vł Edwardo filio nr̄o aut alicui alt̄i cont⁹ p̄dc̄a vel aliquod p̄dc̄oꝝ venientib⁹, opem, consiliū, consensum vł auxiliū quoquo modo p̄st̄it̄it, si hoc notoriū fu͞it, aut de hoc ꝑ considerac̄oem consilii nr̄i & magnatū terre nr̄e convictus fu͞it (') sive non, tam ip̄e q⁹m ħedes sui imꝑpetuū exheredent⁹ ac de terris & tenemētis ip̄oꝝ fiat ꝑut de terris eoꝝ qui de felonia cōvicti sunt sc̄dm leges & cōsuetudies regni nr̄i fieri consuevit. Ad hec de unanimi assensu & volūtate nr̄a, Edwardi filii nr̄i, p̄latoꝝ, Comitū, Baronū & cōitatis regni nr̄i cōcordit̄ ꝑvisū est, qđ carte antique comuniū lib̄tatum & forr̄ cōitati regni nr̄i ꝑ nos dudū cōcesse, in q⁹ꝝ violatores ad petic̄oem nr̄am sñia excōicac̄onis dudū lata est & ꝑ sedē aplicam speciaḷr̄ confirmata necnō & oīes articuli de nr̄o & magnatū r̄e nr̄e conñi assensu dudū ꝑvisi, quos nup apud Wigorn̄ existētes ꝑ singulos Comitat⁹ sub sigillo nr̄o t⁹nsmisim⁹ inviolabiliṫ observent⁹ imꝑpetuū. Ad quoꝝ observac̄oem sac̄ro ad Sc̄a dei Ewangelia p̄stito, sponte nos obligam⁹, & oīes Justiciar̄, Vicecōites, & quoscūq; ball̄ios de regno nr̄o, tam nr̄os q⁹m alioꝝ, simili sac̄ro volum⁹ obligari. Ita qđ nullus teneat⁹ alicui ball̄io obedire donec sac̄rm p̄st̄it̄it. Et si quis cont⁹ cartas ip̄as vel articl̄os p̄dc̄os in aliq⁹ vēire p̄sūp̄s̄it, pre͞t ꝑjurii reatum & excōicac̄ois sñiam que incurret, ꝑ considerac̄oem Cur̄ nr̄e gravit̄ puniat⁹; salvo in p̄missis ꝑut decet privilegio clicali. Et quia volum⁹ qđ hec oīa firmit̄ & inviolabiliṫ observent⁹, univ̄sitati vr̄e injūgendo ac p̄cipiendo mandamus, quatinus vos oīes & singuli p̄dc̄a oīa & singula sicut supius sc⁹pta sunt faciatis, teneatis, & inviolabiliṫ obs̄vetis, & ad ea oīa facienda tenenda & obs̄vanda ad Sc̄a dī Ewangelia sac̄ro corpaliṫ p̄stito adinvicem vos obligetis. In cujus rei testimoniū cartas & ordinac̄oes p̄dc̄as cum p̄sentib⁹ litt̄is patētib⁹ vob̄ sub sigillo nr̄o t⁹nsmittim⁹ in Com̄ nr̄m sub custodia fidedignoꝝ ad hoc eſcoꝝ ad rei memoriā salvo custodiendas cont⁹ quas ne quis ignoranciam p̄tendere possit in futur̄ ad min⁹ bis in anno in pleno Comitatu ip̄as p̄cipim⁹ publicari. Ita qđ fiat p⁹ma publicacio in ꝑxīo Com̄ post instans festū Pasche, secunda vero, fiat in ꝑximo Com̄ post festū Sc̄i Mic̄his, & sic deinceps fiat annuatī. Volum⁹ insup qđ salvis oīib⁹ sup⁹dc̄is oīes alie ordinac̄oes & articuli ꝑ nos & consiliū nr̄m hactenus provisi, qui po͞t̄unt ad honorē Dei & ecc̄ie, fidē nr̄am & regni nr̄i cōmodū observari, inviolabiḷr obs̄vent⁹ & teneant⁹. Ut autē p̄missa oīa & singula firma maneant & inconcussa, re͞vendi pr̄es Ep̄i ꝑ regnū constituti ad instanciā nr̄am sentenciā excōicac̄ois fulminarūt in oīes illos qui cont⁹ p̄missa vel aliquod p̄missoꝝ scient̄ ven̄it aut veire tēptav̄it cū effc̄u, quoꝝ jurisdicc̄oni seu coherc̄oni spontanea volūtate q⁹ntum ad p̄missa nos submittim⁹, p⁹vilegiis nr̄is oīib⁹ impet⁹tis aut impetrandis seu ꝑprio motu Dñi Pp̄e nob̄ cōcessis aut impos̄t̄um concedendis in hoc pure renūciantes ꝑut in litt̄is sup hoc cōfc̄is penes dc̄os p̄latos residentib⁹ pleni⁹ continet⁹. [In cuj⁹ rei &c. T. R. apud Westm̄.²]

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¹ de unanimi assensu nr̄o, Edwardi filii nr̄i, Comitum, Baronū & cōitatis regni nr̄i, ꝑvisum est & statutum qđ corp⁹ ip̄ius, si inventū fu͞it, capiatur, alioq⁹n, a regno nr̄o utlagetur; & sive inventus fuerit

² In cuj⁹ rei testimoniū has l̄ras nr̄as fieri fecim⁹ patentes. T. me ip̄o apud Westm̄ xiiij die Martii anno regni nr̄i xlix.

Ut in Exemplari typis impresso paginis 34. 35. 36.

London

MAGNA CARTA

REGIS EDWARDI, I.

XII° DIE OCTOBRIS, ANNO REGNI XXV.

A.D. MCCXCVII.

EDWARDUS dei gr̃a Rex Angł, Dñs Hiƀn & Dux Aquit̃, Omnib3 ad quos p̃sentes litt̃e ꝑvenint, Saltm. Inspexim⁹ magnā cartā dñi H. quondam Regis Angł patris nr̃i de liƀtatib3 Angł in hec verba. HENRICUS dei gr̃a Rex Angł, Dñs Hiƀn, Dux Normanñ, Aquit̃, & Comes Andegavie, Archiep̃is, Ep̃is, Aƀƀib3, Priorib3, Comitib3, Baroñ, Vice^bz, Prepositis, Minist's & omnib3 Ballivis & fidelib3 suis p̃sentem cartam inspecturis, saltm. Sciatis qđ no^s intuitu dei, & ꝑ salute anime nostre & animaꝝ antecessoꝝ & successoꝝ nr̃oꝝ ad exaltac̃oem Sc̃e Ecclie, & emendac̃oem Regni nr̃i, spontanea & bona voluntate nr̃a, dedimus & concessimus Archiep̃is, Ep̃is, Aƀƀib3, Priorib3, Comitib3, Baronib3, & om̃ib3 de Regno nr̃o, has liƀtates subscriptas, tenenđ in Regno nr̃o Angł imꝑpetuū. In primis concessimus Deo, & hac p̃senti carta nr̃a confirmavim⁹, ꝑ noƀ & heredib3 nr̃is imꝑpetuū, qđ Ecclia Anglicana libera sit, & ħeat om̃ia jura sua integra, & liƀtates suas illesas. Concessimus eciam, & dedim⁹ om̃ib3 liƀis hominib3 regni nr̃i, ꝑ noƀ & heredib3 nr̃is imꝑpetuū [has[1]] liƀtates subscriptas, habenđ & tenenđ, eis & heredib3 suis, de noƀ & heredib3 nr̃is imꝑpetuū. Si quis Comitum vł Baronū nr̃oꝝ, sive alioꝝ tenenciū de noƀ in capite ꝑ servicium militare mortuus fuit, & cum decesserit [&[2]] heres ejus plene etatis fuit, & relevium debeat, ħeat ħeditatem suam ꝑ antiqum releviū, scilicet heres vel heredes Comitis de [Comitatu integro[3]] ꝑ Centū libras, heres vł heredes Baronis de Baronia integra, ꝑ Centum [marcas,[4]] heres vł heredes Militis de feodo militis integro ꝑ Centum solidos ad plus, et qui min⁹ debuit, minus det, sc̃đm antiquam consuetudinē feodoꝝ. Si autem heres alicuj⁹ talium, infra etatem fuit, dñs ejus non ħeat custodiam ejus, nec terre sue, anteq^am homagium ejus cepit, et postq^am talis heres fuit in custodia, cum ad etatem ꝑvenit scilicet viginti & unius anni, ħeat ħeditatem suam sine relevio & sine fine Ita tamen, qđ si ip̃e dum infra etatem fuit fiat miles, nichilominus t̃ra remaneat in custodia dñoꝝ suoꝝ usq; ad t̃minū p̃dc̃m. Custos t̃re huj⁹modi heredis, qui infra etatem fuit, non capiat de t̃ra heredis, nisi rõnabiles exit⁹ & rõnabiles consuetudīes, & rõnabilia s̃vicia, & hoc sine destructione & vasto hominū [&[5]] reꝝ. Et si nos cōmis̃imus custodiam alicuj⁹ talis t̃re, Vicecomiti vł alicui alij, qui de exitib3 t̃re illius, noƀ debeat respondere, & ille de custodia, destructionē vel vastum fec̃it, nos ab [eo[6]] capiem⁹ emendam, & t̃ra cōmittat^r duob3 legalib3 & discretis hõib3 de feodo illo, qui de exitib3 [t̃re illi⁹[7]] noƀ respondeant, vł [illi, cui illos[8]] assignaṽim⁹. Et si dederim⁹ vł vendiderim⁹ alicui custodiam alicuj⁹ talis t̃re, & ille inde destructõem fec̃it vel vastum, amittat illam c⁹todiam, & t^adat^r duob3 legalib3 & discretis hominib3 de feodo illo qui siłr noƀ respondeant sicut p̃dictum est. Custos autem q^amdiu custodiam t̃re [huj⁹modi[9]] ħuerit, sustentet domos, parcos, vivaria, stagna, molendina, & cet̃a ad t̃ram illam ꝑtinēcia, de exitib3 t̃re ejusdem, et reddat heredi cū ad plenam etatē ꝑvenit, t̃ram suā totam instauratam de carucis, & [de[10]] omnib3 aliis reb3 ad min⁹, [sicut[11]] illam recepit. Hec om̃ia observent^r de custodiis Archiep̃atuū, Ep̃atuū, Aƀƀiaꝝ, P^ioratuū, Ecclaꝝ, & dignitatum vacanciū, que ad nos ꝑtinēt, excepto, qđ custodie huj⁹modi vendi non debent. Heredes maritent^r absq; dispagac̃oe. Vidua post mortem mariti sui, statim & sine difficultate aliqua ħeat maritagium suū, & ħeditatem suam, nec aliquid [dēt[12]] ꝑ dote sua, nec ꝑ maritagio suo, vł ꝑ ħeditate sua, quam ħeditatem marit⁹ suus & ip̃a tenuerūt die obitus ip̃ius mariti sui, & maneat in

[1] om̃es [2] *deest.* [3] Baronia Comitis integra [4] libras
[5] vł [6] illo [7] *desunt.* [8] ei cui eos
[9] *deest.* [10] *deest.* [11] sc̃dm quod [12] det

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capitali mesuagio mariti sui p quadraginta dies, post obitum sui mariti, infra quos [dies,[1]] assignet' ei dos sua, nisi p'us fuit ei assignata, vel nisi domus illa sit castrū, et si de castro recesserit, domus ei cōpetens statim p̄videat', in qua possit honeste morari, quousq; dos sua ei assignet', sc̄dm qd p̄dc̄m est, et h̄eat rōnabile estov'ium suū int'im de cōmuni. Assignet' autē ei p dote sua, t'cia pars tocius t're mariti sui, que sua fuit in vita sua, nisi de minori fuit dotata ad hostiū Eccl'ie. Nulla vidua distringat' ad se maritand, dum volu'it vi've sine marito. Ita tamen, qd securitatem faciat, qd se non maritabit, sine assensu nr̄o, si de nob tenu'it, vt sine assensu dñi sui, si de alio tenuerit. Nos v'o vt Ballivi nr̄i non seisiem⁹ t'ram aliquā [vel[2]] redditum, p debito aliquo, q'mdiu catalla debitoris p̄sencia sufficiūt, ad debitū reddendū, & ip̄e debitor patus sit inde satisfac̄e. Nec plegii ip̄ius debitoris distringant', q'mdiu ip̄e capitalis debitor sufficiat ad soluc̄oem [ip̄ius[4]] debiti. Et si capitalis debitor defec̄it in soluc̄oe debiti non h̄ens unde reddat, aut reddere nolit cū possit, plegij de debito respondeant, et si volu'int h̄eant t'ras & reddit⁹ debitoris, quousq; sit eis satisfc̄m de debito, quod ante p eo solverūt, nisi capitalis debitor monst'a'vit se inde esse q'etū v's⁹ eosdē pleg̃. Civitas Londoñ h̄eat [oīes lib'tates suas antiquas, & consuetudines suas.[5]] Pret'ea volum⁹ & concedimus, qd oīes Civitates alie, & Burgi & Ville & Barones de quinq; portub3, & oīes port⁹, h̄eant oīes lib'tates & liberas consuetudines suas. Nullus distringat' ad faciend majus s'vicium de feodo militis, nec de alio libero ten̄, q'm inde debet'. Cōmunia p̄'ita non sequant' Cur̃ nr̄am, set teneant' in aliquo c'to loco. Recognic̄oes de nova disseisīa, & de morte antecessor̄, non capiant' nisi in suis Comitatib3, & hoc modo. Nos, vel si ext's regnū fu'im⁹, capitalis Justiciar̃ nost'⁹, mittem⁹ Justiciar̃ nr̄os, p unūquemq; Com̄, semel in anno, qui cū militib3 Comitatuū, capiant in Comitatib3 assis̄ p̄dc̄as, & [illa,[6]] que in illo adventu suo in Com̄, p Justic̄ [nr̄os[7]] p̄dc̄os ad dc̄as assisas capiendas missos, t'minari non possunt, p eosdem t'minent' *alibi* in itin̄e suo, et ea que p eosdem, ppt̄ difficultatē aliquoz artic'oz, t'minari non possunt, referant' ad Justiciar̃ nr̄os de Banco, & ibi t'minent'. Assise de ultima p̄sentac̄oe, semp capiant' coram [Justiciar̃ [8]] de Banco, & ibi t'minent'. Liber homo non am̄ciet' p p̄vo delic̄to, nisi sc̄dm modum ip̄ius delicti, et p magno delic̄to, sc̄dm magnitudiem delicti, salvo cōtenemento suo, et m̄cator eodem modo, salva m̄candisa sua, et villanus alt'ius q'm nr̄, eodem modo am̄ciet', salvo Waynagio suo si inciderit in mis̄icordiam nr̄am. Et nulla p̄dc̄az ñiiaz ponat' nisi p sac'mentū p̄boz & leg̃ hōium de visñ. Comites & Barones nō am̄cient' nisi p pares suos, & non nisi sc̄dm modū delicti. Nulla eccl'iastica p̄sona am̄ciet' scdm q'ntitatē b'nficij sui eccl'iastici, set sc̄dm laicum ten̄ suū, & scdm̄ q'ntitatē delicti. Nec villa nec homo distringat' fac̄e pontes ad riparias, nisi qui ab antiquo & de jure fac̄e debent. Nulle ripar̃ie defendant' dece't'o, nisi ille que fuerūt in defenso tempe H. Regis avi nr̄i, p eadem loca, & eosdē t'minos, sicut esse cōsueverūt tempe suo. Nullus Vicecomes, Constabularius, [Coronator,[9]] vel alij Ballivi nr̄i teneant p̄'ita Corone nr̄e. Si aliquis tenens de nob laicum feodum moriat', & Vicecomes vt ballivus nr̄ ostendat litt'as nr̄as patentes de sūmonic̄oe nr̄a, de debito, quod defunc̄tus nob debuit, liceat Vicecomiti, vel ball'io nr̄o attachiare & imb'r̄iare [oīa bona & [10]] catalla defunc̄ti inventa in laico feodo, ad valenciam illius debiti, p visum leg̃ hōium. Ita tamen, qd nichil inde amoveat', don̄ psolvat' nob debitū, quod clarum fuit, & residuū relinquat' executoribz, ad faciendū testamētum defuncti, et si nichil nob debeat' ab ip̄o, oīa catalla cedant defunc̄to, Salvis Uxi [ejus [11]] & pueris [ip̄ius [12]] rōnabilib3 p̄tib3 suis. Nullus Constabularius vel ejus ballivus capiat blada vel alia catalla alicuj⁹, qui non sit de Villa ubi Castrum situm est, nisi statim reddat denar̃ inde, aut respectum inde h̄ere possit de voluntate venditoris. Si autē de ip̄a villa fuerit, infra quadraginta dies p̄cium reddat. Nullus Constabularius distringat aliquem Militem, ad dand denar̃ p custodia Castri, si ([13]) eam fac̄e volu'it, in pp'a p̄sona sua, vt p aliū p̄bum hōiem [faciat,[14]] si ip̄e eam fac̄e non possit ppt̄ rōnabilē causam. Et si nos [adduxim⁹ [15]] vel miserim⁹ eū in exc̄citū, [sit[16]] quiet⁹ de c⁹todia, sc̄dm q'ntitatem tempis, quo p nos fuit in exc̄citu, de feodo, p quo fecit s'viciū in exc̄citu. Nullus Vicecomes aut ball's nr̄, vel aliquis alius capiat equos, vel carettas alicuj⁹ p cariagio faciendo, nisi reddat lib'ac̄oem antiquit⁹ statutam, scil't, p [una [17]] caretta ad duos equos, decem denar̃ p diem, et p caretta ad tres equos,

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[1] *deest.* [2] n^c [4] *deest*
[5] oīes antiquas lib'tates & lib'as cōsuetudines suas [6] ea [7] *deest.*
[8] Justiciariis nr̄is [9] Coronatores [10] *desunt.* [11] ip̄ius [12] suis
[13] ip̄e [14] *deest.* [15] duxerim⁹ [16] erit [17] *deest.*

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quatuordecim denaꝛ ꝑ diem. Nulla caretta dñica alicuj⁹ eccliastice ꝑsone, vł militis, vł alicuj⁹ dñe [ꝑ ballios nr̃os capiat',[1]] nec nos nec ballivi nr̃i nec alij capiem⁹ boscum alienū ad Castra vel [ad [2]] alia agenda nr̃a, nisi ꝑ volūtatem illius cuj⁹ boscus ille fuit. Nos nō tenebim⁹ ꝛras [illoꝝ,[3]] qui cōvicti fuint de felonia, nisi ꝑ unū annū & unū diē, & tūc reddant' ꝛre [ille[4]] dñis feodoꝝ. Oīes Kidelli deponant' deceꝛo penit⁹ ꝑ Thamisiam & Medeweyam & ꝑ totam Angł, nisi ꝑ Costeram maris. Bꝛe quod vocat' Precipe, deceꝛo non fiat alicui, de aliquo [libo[5]] teñ, unde liber homo ꝑdat Cuꝛ suam. Una mensura vini, sit ꝑ totū regnū nr̃m, & una mensura ꝟisie, & una [mesura[6]] bladi scilicet q'rꝛium Londoñ, et una latitudo pannoꝝ tinctoꝝ, ([7]) russetoꝝ, & haubergettoꝝ, scilt due ulne infra listas. De ponderibꝫ ꝛo sit [sicut[8]] de mensuris. Nichil deceꝛo det' ꝑ bꝛi inquisic̃ois ab eo, qui inquisic̃oem petit de vita vel [de[9]] membris, set g'tis cōcedat', & non neget'. Si [aliqui teneant[10]] de nob ꝑ feodi firmam, vel ꝑ socagiū, vel burgagiū, & de alio [teneant ꝛram[11]] ꝑ ꝟiciū militare; nos nō ħebimus custodiam heredis, nec ꝛre sue, que est de feodo alꝛius, occ̃one illius feodi firme, vel sokagij vel burgagij, nec ħebim⁹ custodiam illius feodi firme vł socagij, vel burgagij, nisi ipa feodi firma debeat ꝟiciū militare. Nos non ħebim⁹ custodiam heredis vł [alicuj⁹ ꝛre[12]] quam tenet de [aliquo[13]] alio ꝑ ꝟiciū militare, occ̃one alicuj⁹ ꝑve ꝟjantie, quam tenet de nob ꝑ ꝟiciū reddenꝺ nob cultellos, vel sagittas vł huj⁹mōi. Nullus Ballivus deceꝛo, ponat aliquem ad legem māifestam, [nec[14]] ad juramentum simplici loquela sua, sine testibꝫ fidelibꝫ ad hoc inductis. Nullus liber homo capiat' vł imp'sonet', aut disseisiat' de libo teñ suo, vel libtatibꝫ, vł libis consuetudinibꝫ suis, aut utlaget', aut exulet, aut aliquo ([15]) modo destruat', nec sup eū ibim⁹, nec sup eum mittem⁹, nisi ꝑ legale judiciū pium suoꝝ, vł ꝑ legem ꝛre. Nulli vendem⁹, nulli negabim⁹, aut differem⁹ rectum, vł justiciam. Oīes ꝛcatores, nisi publice antea ꝓhibiti fuint, ħeant salvū & securum [conductum[16]] exire de Angł, & venire in Angł, & morari, & ire ꝑ Angł, tam ꝑ ꝛram, q'm ꝑ aquam ad emenꝺ [& [17]] vendenꝺ, sine oīibꝫ toltis malis, ꝑ antiquas & rectas consuetudīes p'q' in tēpore guerre. Et si sint de ꝛra cont' nos guerrina, & ([18]) tales invēiant' in t'ra nr̃a in p'ncipio guerre, attachient' sine dāpno corpum vł reꝝ, don' sciat' a nob, vel a capitali Justic̃ nr̃o, quomodo ꝛcatores ꝛre nr̃e t'ctent', qui tūc invēiunt' in ꝛra [illa[20]] cont' nos guerrina, et si nr̃i salvi sint ibi, alij salvi sint in ꝛra nr̃a. Si quis tenuit de aliqua escaeta, sicut de honore Walinford, Boloñ, Notingł, Lancastꝛ vł ([21]) aliis escaetis, que sūt in manu nr̃a, & sint baronie, & obierit, heres ejus non det aliud releviū, nec faciat nob aliud ꝟicium, q'm faceꝛ Baroni, si illa esset in manu Baronis. Et nos eodem modo eam tenebim⁹, quo Baro eam tenuit. Nec nos occ̃one talis Baronie, vł escaete, ħebim⁹ aliquam escaetam vel custodiam aliquoꝝ nr̃oꝝ hōium, nisi de nob alibi tenuerit in capite, ille qui tenuit baroniam vł escaetam. Nullus liber homo, det deceꝛo amplius alicui vł vendat de ꝛra sua, q'm ut de residuo ꝛre sue possit sufficienꝛ fieri dño feodi ꝟiciū ei debitum, quod ꝑtinet ad feoꝺ illud. Oīes pr̃oni Abbiaꝝ, qui ħent cartas Regum Angł de advocac̃oe vł antiquam tenuram, vł possessionē, ħeant eaꝝ custodiam cum vacaꝛint, sicut ħere debēt, & sicut [supius[22]] declaratum est. Nullus capiat' aut imp'sonet' ꝑꝑ appellū femine, de morte alꝛius, q'm viri sui. Nullus Comitat⁹ deceꝛo teneat', nisi de mense, in mensem, et ubi major ꝛminus esse solebat, major sit. Nec aliquis Vicecomes vel ball's [suus[23]] faciat t'nū suū ꝑ hundreꝺ, nisi bis in anno, & non nisi in loco debito & cōsueto, videlt semel post Pascha, & iꝛum post festū Sc̃i Mic̃his, et visus de franco pleg̃ tūc fiat ad illū ꝛminū Sc̃i Mic̃his, sine occ̃one. Ita scilicet qꝺ quilibet ħeat libtates suas, quas ħuit [vł[24]] ħere consuevit, tēpe H. Regis avi nr̃i, vł quas postea ꝑquisivit. Fiat autē vis⁹ de franco pleg̃, sic, videlt, qꝺ pax nr̃a teneat', & qꝺ Theothinga [teneat' integ',[25]] sicut esse consuevit. Et qꝺ vicecom̃, nō querat occ̃ones, et qꝺ content⁹ sit de eo quod Vicecom̃ ħere cōsuevit, de visu suo faciendo, tempe H. Regis avi nr̃i. [Nec[27]] liceat deceꝛo alicui dare ꝛram suam ([28]) domui religiose ita qꝺ illam resumat de eadem domo tenenꝺ. Nec liceat alicui domui religiose, ꝛram alicuj⁹ sic accipe, qꝺ t'ꝺat eam illi, a quo eam recepit tenenꝺ. Si quis autē deceꝛo ꝛram suam alicui domui religiose sic

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[1] capiat' ꝑ ballios ꝑdc̃os
[2] *deest.*
[3] coꝝ
[4] *deest.*
[5] *deest.*
[6] mensura
[7] &
[8] ut
[9] *deest.*
[10] aliquis teneat
[11] ꝛram teneat
[12] ꝛre alic⁹
[13] *deest.*
[14] vł
[15] alio
[16] *deest.*
[17] vł
[18] si
[20] *deest.*
[21] de
[22] sup'a
[23] *deest.*
[24] &
[25] integra sit,
[27] Non
[28] alicui

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dederit, & sup hoc cōvincat', donū suū penit⁹ casset', & ꝑra illa, dño (') illius feodi incurrat'. Scutagium deceꝯo capiat', sicut capi consuevit, tempe H. Regis avi nr̄i. Et salve sint Archiep̄is, Ep̄is, Abbtib⁹, Priorib⁹, Templar̄, Hospitalar̄, Comitib⁹, Baronibus, & om̄ib⁹ aliis, tam eccliasticis psonis, q'm secularib⁹, [om̄es [2]] libtates, & libere consuetudines, quas p'us ħuerunt. Om̄es autē [consuetudies & libtates ꝑdc̄as,[3]] quas concessim⁹ in Regno nr̄o tenend quantum ad nos ptinet erga nr̄os; om̄es de regno nr̄o, tam clici, q'm laici, observent, quantum ad se ptinet erga suos. Pro hac autē donac̄oe & cōcessione libtatū istaꝝ, & aliaꝝ cōtentaꝝ in carta nr̄a de libtatib⁹ foreste, Archiep̄i, Ep̄i, Abbes, Priores, Comites, Barones, Milites, liħe tenētes & ōes de regno nr̄o, dederūt nob, quintamdecīam ptē ōium mobiliū suoꝝ. Concessim⁹ eciam eisdē ꝑ nob & heredib⁹ nr̄is, qd nec nos, nec ħedes nr̄i, aliquid pquirem⁹, ꝑ quod libtates in ħac carta cōtente, infringant' vt infirment'. Et si ab aliquo cont[a] hoc aliquid pquisitū fuit; nichil valeat, & ꝑ nullo ħeat'. Hiis testib⁹, dño S. Cantuar̄ Archiep̄o, E. Lond Ep̄o, J. Bathon̄, P. Wyntoñ, H. Linc̄, R. Saꝝ, [W. Roff,[4]] W. Wygorn̄, J. Elien̄, H. Heref, R. Cycestr̄, (5) W. Exon̄, Ep̄is; Abbe Sc̄i Edmundi, Abbe Sc̄i Albani, Abbe de Bello, Abbe Sc̄i Aug⁹tini Cantuar̄, Abbe de Evesh[a]m, Abbe de Westm̄, Abbe de Burgo Sc̄i Pet[i], Abbe de Reding̃, Abbe de Abyndon̄, Abbe de Malmesbury, Abbe de Wynchecumb̄, Abbe de Hida, Abbe de Certeseye, Abbe de Shireburn̄, Abbe de Cerne, Abbe de Abbotesbury, Abbe de Middelton̄, Abbe de Seleby, (6) Abbe de Cyrencestr̄; H. de Burgo Justic̄ [nr̄o,[7]] [H.[8]] Comite Cestr̄ & Linc̄, W. Comite Saꝝ, W. Com̄ Warenn̄, G. de Clare Comite Glouc̄ & Hertf, W. de Fer̄ Comite Derb̄, W. de Maundevill Com̄ Essex̄, H. le Bygod Com̄ Norff, W. Com̄ Albemarl, H. Com̄ Heref, J. Constab̄ Cestr̄, R. de Ros, R. fit Walꝯi, R. de Veꝯi ponte, W. de Brueř, R. de Muntfichet, P. fit ħberti, (9) W. de [Aubeny,[10]] [F. Gresly, F. de Breus̄,[11]] J. de Monemue, J. fit Alani, H. de Mortuo Mari, W. de Bello Campo, W. de Sc̄o Joħe, P. de [Malo [12]] Lacu, Briano de Insula, Th̄ de Multon, R. de Argenteiñ, G. de Nevill, W. Mauduit, J. de Balun [& aliis [13]] Dat̄ apud Westm̄, xj° die Febr̄, anno regni nr̄i nono. Nos autē donac̄oes & cōcessiones ꝑdc̄as, ratas ħentes & g[a]tas, eas ꝑ nob & heredib⁹ nr̄is cōcedim⁹ & cōfirmamus, easq; tenore ꝑsenciū innovam⁹. Volētes & cōcedentes, ꝑ nob & ħedib⁹ nr̄is, qd Carta ꝑdc̄a, in om̄ib⁹ & singl̄is suis articl̄is, imppetuū firmiꝯ & inviolabiliꝯ observet', eciam si aliqui articli in eadē carta cōtenti, hucusq; forsitan nō fuint observati. In cuj⁹ rei testimoniū, has ꝑas nr̄as fieri fecim⁹ patentes. Teste Edwardo fit nr̄o ap̄d Westm̄, duodecīo die Octobr̄, anno regni nr̄i Vicesimo Quinto.

In Cedula. Edwardus dei gr̄a Rex Angl̄ Dns Hibn̄ & Dux Aquit̄, Vicec[z] Londoñ Salt̄m. Quia in relevac̄oem ōium Incolaꝝ & popli Regni nr̄i ꝑ nona nob a laicis de Regno nr̄o in subsidiū defensionis ejusdem Regni concessa, concessim⁹ & confirmavim⁹ ꝑ nob & heredib⁹ nr̄is magnā cartam de libertatib⁹ Angl̄, eamq; innovavim⁵, volentes & concedentes qd carta illa in om̄ib⁹ & singl̄is suis articl̄is firmiꝯ & inviolabiliꝯ observet', vob ꝑcipimus qd cartam ꝑdc̄am in Civitate ꝑdc̄a sine dilone pupplicari, & eam in om̄ib⁹ & singl̄is suis articulis quātum in vob est observari faciatis firmiꝯ & teneri. T. Edwardo fit nr̄o apud Westm̄. xij die Octobr̄, anno r̄ n̄ vicesimo quinto.

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[1] suo [2] *deest.* [3] istas consuetudines ꝑdc̄as & libtates [4] B. Roffen̄,
[5] & [6] Abbe de Wyteby, [7] *deest.* [8] R. [9] Matho fit Hrbti,
[10] Albiniaco [11] Rob. Gresl, Regin̄ de Brahus̄, [12] Mala [13] *desunt.*

Carta Confirmationis
REGIS EDWARDI, I.

V. DIE NOVEMBRIS, ANNO REGNI XXV.

A. D. MCCXCVII.

EDWARD par la grace de dieu Roi Dengleterre Seygneur Dirlande e Ducs Daquitaine a toutz ceux qui cestes p̄sentes lettres verrount ou orrount salutz. Sachiez; nous al honeur de dieu e de seinte eglise, e a profist de tout nr̄e Roiaume avoir graunte, pur nous e pur nos heyrs, ke la graunt chartre des fraunchises, e la chartre de la foreste, les queles feurent faites par cōmun asent de tout le Roiaume en le temps le Roi Hanry nr̄e Pere, soient tenues en touz leur pointz saunz nul blemissement. E volums ke meismes celes chartres desouz nr̄e seal soient envieez a nos Justices ausi bien de la forest cume as autres, E a touz les viscountes des counteez, E a toutz nos autres Ministres, e a toutes noz Cyteez par my la terre, ensemblement oue noz brefs, en les quieux serra countenu kil facent les avauntdites chartres puplier, e ke il facent dire au pueple ke nous les avūs grauntees, de tenir les, en toutz leur pointz, E a nos Justices Viscountes e Maires, e autres Ministres, qui la loy de la terre desoutz nous e par nous ount a guier, meismes les Chartres en toutz lur pointz en pledz devaunt eaux, e en Jugementz, les facent alower, Cest a savoir la graunt Chartre des fraunchises cume loi cōmune, E la chartre de la forest, solūc lasise de la forest, al amendement de nr̄e pueple. E volums ke si nuls jugementz, soient donez desore mes, encountre les pointz des chartres avauntdites, par Justices e par nos autres Ministres qui countre les pointz des chartres tienent pledz devaunt eaux, soient defez, e pur nyent tenuz. E volums ke meismes celes chartres desoutz nr̄e seal soient envieez as eglises cathedrales parmi nr̄e Roiaume e la demoergent, e soient deus fiez par an lues devaunt lē poeple. E ke Arceeveesques Evesq,s doingnent sentences de graunt escūmēg̃, countre touz ceaux qui countre les avauntdites chartres vendrount ou en fait ou en ayde, ou en counsal, ou nul poynt enfreindrent ou encountre vendrount. E ke celes sentences soient denunciez e pupliez deux foyz p̄ an par les avauntditz Prelats. E si meismes les Prelas Evesqz où nul deux soient necgligentz, a la denunciaciun susdite faire, par les Arceevesques de Caunterbire e de Euerwyk, qui pur temps serrount, sicume covyent soient repris e destreintz a meismes cele denunciacun fere en la fourme avauntdite. E pur ço ke aukuns gentz de nr̄e Roiaume se doutent q̄ les aides e les mises les queles il nous unt faitz avaunt ces houres pur nos guerres, e autres busoignes, de leur graunt e de leur bone volente, en quele manere qe fez soient, peussent tourner en servage a eux, e a leur heyrs, par coe qil serroient autrefoytz trovez en Roulle, e ausint Prises que unt este faites par my le Roiaume par nos ministres en nostre noun; avūs graunte pur nous e pur nos heyrs q̄ mes teles aydes mises ne prises ne trerroms a coustume par nule chose qe soit fayte, ou ke par Roulle, ou en autre manr̄e pust estre trovee. E ausīt avūs graunte pur nous e pur nos heyrs, as Arceevesques, Evesques, Abbees, Priours, e as autre gentz de seint eglise, e as Countes e Barouns, e a toute la cōmunaute de la t̄re, que mes pur nule busoigne tieu manr̄e des aydes mises ne prises de nr̄e Roiaume ne prendrums fors ke par cōmun assent de tout le Roiaume, e a cōmun profist de meismes le Roiaume, sauve les auncienes aydes e prises dues e acoustumees. E pur coe ke tout le plus de la cōmunaute del Roiaume se sentent durement grevez, de la male toute des leynes, cest asaver de chescun sac de Leyne quarante sous e nous unt prie ke nous les vousissums relesser; Nous a leur priere le avūs pleinement relesse. E avūs graunte q̄ cele ne autre mes ne prendrōs sauntz leur cōmun assent e lur bone volente, sauve a nous e a nos heyrs la coustume des leynes peaux e quirs avaunt grauntez par la cōmunaute du Roiaume avaundit. En tesmoinaunce des quieux choses nous avūs fait faire cestes noz lettres overtes. Donees a Gaunt le quint jour de Novembre lan de nr̄e regne vintisme quieent.

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XXVIII° DIE MARCII, ANNO REGNI XXVIII.

A.D. MCCC.

Magna Carta de libertatibꝫ Angł.

[REX Archiepis &c. saltm.'] Inspeximus magnam cartam dñi H. quondam Regis Angł pris nri, de libertatibꝫ Angł, in hec verba. HENRICUS dei gra Rex Angł Dns Hibn Dux Normanū, Aquitanū, & Comes Andeg, Archiepis, Epis, Abbatibꝫ, Prioribꝫ, Comitibꝫ, Baronibꝫ, Vicecomitibꝫ, Prepōitis, Ministris, & oīnibꝫ Ballis & fidelibꝫ suis, psentem cartam inspecturis, saltm. Sciatis qd nos intuitu dei, & p salute anime nre, & animaꝝ antecessoꝝ & successoꝝ nroꝝ, ad exaltacōem sce ecclie, & emendacōem regni nri, spontanea & bona voluntate nra, dedimus, & concessimus Archiepis, Epis, Abbatibꝫ, Prioribꝫ, Comitibꝫ, Baronibꝫ, & oīnibꝫ de regno nro has libertates subsc'ptas, tenendas in regno nro Angł imppetuū. In p'mis concessimus deo, & hac psenti carta nra confirmavim⁹, p nob & heredibꝫ nris imppetuū, qd Ecclia Anglicana libera sit, & hꝫat oīnia jura sua integra, & libertates suas illesas. Concessimus eciam, & dedimus, oīnibꝫ liberis hominibꝫ regni nri, p nob & heredibꝫ nris imppetuū, has libtates subsc'iptas hendas & tenendas eis & heredibꝫ suis de nob & heredibꝫ nris imppetuū. Si quis Comitū vel Baronū nroꝝ, sive alioꝝ tenenciū de nob in capite, p sviciū militare, mortuus fuerit, & cum decesserit, (²) heres ejus plene etatis fuit, & relevium debeat, hꝫat hereditatem suam p antiqum relevium, scilt heres vel heredes Comitis, de Comitatu integro, p Centum libr, heres vel heredes Baronis de Baronia integra, p Centum marcas, heres vel heredes Militis, de feodo Militis integro, p Centum solidos ad plus; et qui minus [hꝫerit,³] minus det scdm antiquam consuetudinem feodoꝝ. Si autem heres alicujus taliū infra etatem fuit, dis ejus nō hꝫat custodiam ejus, nec terre sue, anteq⁴ homagiū ejus cepit, et postq⁴m talis heres fuit in custodia, cum ad etatem pvenit, scilt viginti & unius anni, hꝫat hereditatem suam sine relevio & sine fine. Ita tamen qd si ipe dum infra etatem fuit, fiat miles; nichilomin⁹ terra remaneat in custodia dnoꝝ suoꝝ, usq, ad tminū pdcm. Custos terre hujusmodi heredis, qui infra etatem fuit, non capiat de terra heredis nisi rōnabiles exitus, & rōnabiles consuetudines, & rōnabilia svicia, & hoc sine destruccione & vasto hōinum & reꝝ. Et si nos commiserim⁹ custodiam alicujus talis terre Vicecomiti, vel alicui alii, qui de exitibꝫ terre illius nob debeat respondere, & ille de custodia destruccionem vel vastum fecit, nos ab eo capiemus emendam, & terra committatur duobꝫ legalibꝫ & discretis hominibꝫ de feodo illo, qui de exitibus terre illius nob respondeant, vel illi, cui illos assignavim⁹. Et si dederim⁹ vel vendiderim⁹ alicui, custodiam alicujus talis terre, & ille inde destruccionē fecit vel vastum, amittat illam custodiam, & t⁴datur duobꝫ legalibꝫ & discretis hominibꝫ de feodo illo, qui similit nob respondeant sicut pdcm est. Custos autem q⁴diu custodiam terre hujusmodi hꝫerit, sustentet domos, parcos, vivaria, stagna, molendina, & cet a ad terram illam ptinencia de exitibꝫ terre ejusdem, & reddat heredi cum ad plenam etatem pvenit, terram suam totam instaurata de carucis, & de oīnibꝫ alijs rebꝫ, ad minus sicut illam recepit. Hec oīnia observent' de custodiis Archiepatuū, Epatuum, Abbathiaꝝ, Prioratuū, Eccliaꝝ, & dignitatum vacanciū, que ad nos ptinent, excepto, qd custodie hujusmodi vendi non debent. Heredes maritent' absq, dispagacione. Vidua post mortem mariti sui statim, & sine difficultate aliqua, hꝫat maritagiū suum, & hereditatem suam, nec aliquid det p dote sua, nec p maritagio suo vel p hereditate sua, quam hꝫeditatem, maritus suus & ipa tenuerunt [simul,⁴] die obitus ipius mariti sui, & maneat in capitali mesuagio mariti sui, p quadraginta dies post obitum mariti sui, infra quos dies

¹ EDWARDUS Dei gra Rex Angł, Dns Hibn & Dux Aquit, Omnibꝫ ad quos psentes litt pvenint, Saltm.
² & ³ debuit ⁴ *deest.*

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assignet^r ei dos sua, nisi p^ius fuit ei assignata, vel nisi domus illa sit Castrum, et si de Castro recesserit domus ei competens statim ꝑvideatur, in qua possit honeste morari, quousq, dos sua ei assignet^r, sc̃dm qđ p̃dc̃m est, et ħeat rõnabile estoviũ suũ int̃im de cõi. Assignet^r autem ei pro dote sua, t̃cia pars tocius terre mariti sui, que sua fuit in vita sua, nisi de minori fuit dotata ad hostiũ eccl̃ie. Nulla vidua distringat^r ad se maritandam, dum voluit vive sine marito; Ita tamen qđ securitatem faciat, qđ se non maritabit sine assensu nr̃o, si de noƀ tenuit, vel sine assensu dñi sui, si de alio tenuit. Nos vero, vel Ballivi nr̃i, non seisiemus terram aliquam, vel redditum ꝑ debito aliquo, q^a mdiu catalla debitoris p̃sencia sufficiunt ad debitum reddendũ, & ip̃e debitor paratus sit inde satisface. Nec plegii ip̃ius debitoris distringant^r q^a mdiu ip̃e capital debitor sufficiat ad solucõem ip̃ius debiti, et si capital debitor defecit in solucione debiti, non ħens unde reddat, aut reddere nolit cum possit, plegii de debito respondeant, et si voluint, ħeant terras & redditus debitoris quousq, sit eis satisfc̃m de debito, quod ante ꝑ eo solverunt, nisi capital debitor monstravit se inde esse quietum, vsus eosdem plegios. Civitas Londoñ ħeat om̃es libertates suas antiquas, & consuetudines suas. Pret̃ea volum⁹ & concedim⁹, qđ om̃es Civitates alie, & Burgi, & ville, & Barones de quinq, portubȝ, & om̃es portus ħeant om̃es libertates, & liberas consuetudines suas. Nullus distringat^r ad faciend majus s̃viciũ de feodo militis, nec de alio libero tenemento, q^a inde debet^r. Communia placita non sequant^r Curiam nr̃am, set teneant^r in aliquo loco certo. Recogniciones de nova disseissina, & de morte antecessoris, non capiant^r nisi in suis Comitatibȝ, & hoc modo. Nos, vel si extra regnum fuim⁹, capitalis Justic̃ nr̃, mittemus Justiciar̃ nr̃os ꝑ unumquemq, Comitatũ semel in anno, qui cum militibȝ Comitatuũ capiant in Comitatibȝ assisas p̃dc̃as, & illa que in illo adventu suo in Comitatus ꝑ Justic̃ nr̃os p̃dc̃os, ad dc̃as assĩas capiendas missos, t̃minari non possunt, ꝑ eosdem t̃minent^r alibi in itin̄e suo; & ea que ꝑ eosdem ꝓpt̃ difficultatem aliquoꝝ articuloꝝ t̃minari non possunt, referant^r ad Justic̃ nr̃os de Banco, & ibi t̃minent^r. Assise de ultima p̃sentacione semꝑ capiant^r coram Justic̃ de Banco, & ibi t̃minent^r. Liber homo non am̃ciet^r ꝑ parvo delc̃o nisi scđm̃ modũ ip̃ius delc̃i, & ꝑ magno delc̃o scđm̃ magnitudinem delc̃i, salvo contenemento suo, et m̃cator eodem modo, salva m̃candisa sua, et villanus alt̃ius q^a nost̃ eodem modo am̃ciet^r, salvo wainagio suo, si inciderit in m̃iam nr̃am. Et nulla p̃dc̃aꝝ m̃iaꝝ ponat^r, nisi ꝑ sacr̃m ꝓboꝝ & leg̃ hõĩm de visneto. Comites & Barones nõ am̃cient^r, nisi ꝑ pares suos, & nõ nisi scđm̃ modum delc̃i. Nulla eccl̃iastica ꝑsona am̃ciet^r scđm̃ q^a ntitatem beneficii sui eccl̃iastici, set scđm̃ laicũ teñ suum, & scđm̃ q^a ntitatem delc̃i. Nec villa nec [liber[1]] homo distringat^r face pontes ad riparias, nisi qui ab antiquo, & de jure face debent. Nulle riparie defendant^r decet̃o, nisi ille que fuerunt in defenso, tempe H. Regis, avi nr̃i, ꝑ eadem loca & eosdem t̃minos sicut esse consueverunt tempore suo. Nullus Vicecomes, Constabular̃, Coronator, vel alii Ballivi nr̃i, teneant placita corone nr̃e. Si aliquis tenens de noƀ laicũ feodũ moriat^r, & Vicecomes, vel Ballivus noster, ostendat litt̃as nr̃as patentes, de sũmonicione nr̃a, de debito, quod defunctus noƀ debuit, liceat Vicecomiti, vel Ballivo nr̃o, attachiare, & imƀriare om̃ia bona & catalla defuncti, inventa in laico feodo, ad valenciam illius debiti, ꝑ visum legalium hõĩm. Ita tamen, qđ nichil inde ammoveat^r, donec ꝑsolvatur noƀ debitum, quod clarum fuit, & residuũ relinquat^r executoribȝ, ad faciend testamentũ defuncti, et si nichil noƀ debeat^r ab ip̃o, om̃ia catalla cedant defuncto salvis uxl̃i ejus, & puis ip̃ius, rõnabilibȝ partibȝ suis. Nullus Constabularius, vel ejus Ballus capiat blada vel alia catalla alicuj⁹, qui nõ sit de villa ubi Castrum situm est, nisi statim reddat denarios inde, aut respectum inde ħere possit de voluntate venditoris. Si autem de ip̃a villa fuit, infra q^a draginta dies p̃cium reddat. Nullus Constabularius distringat aliquem militem, ad dand denar̃ ꝑ custodia Castri, si [ip̃e[2]] eam face voluit, in ꝓpria ꝑsona sua, vel ꝑ aliũ ꝓbum hõĩem faciat, si ip̃e eam face non possit, ꝓpt racionabilem causam. Et si nos adduxl̃im⁹ vel miserim⁹ eum in exc̃citum sit quietus de custodia scđm̃ q^a ntitatem temporis, quo ꝑ nos fuit in exc̃citu, de feodo ꝑ quo fecit s̃viciũ in exc̃citu. Nullus Vic̃, vel Ballivus nr̃, vel aliquis alius capiat equos vel carettas alicujus ꝑ cariagio faciendo, nisi reddat liƀac̃oem antiquitus statutam, scilt ꝑ una caretta ad duos equos decem denarios ꝑ diem, & ꝑ caretta ad tres equos q^a tuordecim denar̃ ꝑ diem. Nulla caretta dñica alicujus eccl̃iastice ꝑsone, vel militis, vel alicujus dñe, ꝑ baillos nr̃os capiat^r. Nec nos nec Ballivi nr̃i, nec alii, capiem⁹ boscum alienũ ad Castra vl ad alia agenda nra, nisi ꝑ voluntatem

[1] *deest.* [2] *deest.*

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illius, cujus boscus ille fuit. Nos non tenebim⁹ terras illoꝝ qui cõvicti fuerint de felonia nisi p unũ annũ & unũ diem, & tũc reddant' terre ille dñis feodoꝝ. Oẽs Kidelli deponant' decet̃o penitus p Tamisiam, & Medeweyam, & p totam Angł nisi p costeram maris. Breve quod vocatur Precipe, decet̃o nõ fiat alicui, de aliquo lĩbo tenemento, unde liber homo ꝑdat Curiam suam. Una mensura vini sit p totum regnũ nr̃m, & una mensura ꝟvisie, & una [mensura[1]] bladi, scilt quarteꝛ Londoñ, & una latitudo pannoꝝ tinctoꝝ Russetoꝝ & Haubergettoꝝ, scilt due ulne infra listas. De ponderibꝫ vero sit, sicut de mensuris. Nichil decet̃o detur p br̃i inquisic̃ois ab eo, qui inquisic̃oem petit de vita, vel de membris, set gr̃atis concedat', & non ꝯnegat'. Si aliqui teneant de nob̃ p feodi firmam, vel p socagiũ vel burgagiũ, & de alio teneant t̃ram p ꝟviciũ militare, nos nõ ħebim⁹ custodiam heredis, nec terre sue, que est de feodo alt̃ius, occõne illius feodi firme, vel socagii vel burgagii, nec ħebimus custodiam illius feodi firme, vel socagii vel burgagii, nisi iꝑa feodi firma debeat ꝟviciũ militare. Nos no ħebim⁹ custodiam heredis, vel alicujus terre, quam tenet de aliquo alio p ꝟviciũ militare, occõne alicujus ꝑve serjantie, quam tenet de nob̃, p ꝟviciũ reddendi nob̃ cultellos, vel sagittas vel hujusmodi. Nullus Ballus decet̃o ponat aliquem ad legem manifestam, nec ad juramentũ simplici loquela sua, sine testibꝫ fidelibꝫ, ad hoc inductis. Nullus liber homo capiatur, vel imp'sonet', aut disseisiat' de libero teñ suo, vel lĩbtatibꝫ, vel liberis consuetudinibꝫ suis, aut utlaget' aut exulet, aut aliquo modo destruat', nec sup eum ibimus, nec sup eum mittem⁹, nisi p legale judiciũ ꝑiũ suoꝝ, vel p legem terre. Nulli vendem⁹, nulli negabim⁹, aut differem⁹ rectum vel justiciam. Oẽs m̃catores, nisi publice antea ꝓhibiti fuĩint, ħeant salvũ & securũ conductum exire de Angł, & venire in Angł, & morari, & ire p Angł, tam p t̃ram, qᵃ p aquam, ad emend & vendend, sine oĩnibꝫ toltis malis, p antiquas & rectas consuetudines, ꝑt̃qᵃm in tempore guerre; & si sint de terra contra nos guerrina, & tales inveniant' in t̃ra nr̃a, in p'ncipio guerre, attachient' sine dampno corpoꝝ, vel reꝝ, donec sciat' a nob̃, vel a capitali Justic̃ nr̃o, quomodo m̃catores t̃re nr̃e tr̃ctent', qui tunc inveniunt' in t̃ra illa cont' nos guerrina, & si nr̃i salvi sint ibi, alii salvi sint in terra nr̃a. Si q's tenuit de aliqua escaeta, sicut de honore Wallingford, Bolonie, Notingħi, Lancastr̃, vel aliis escaetis, que sunt in manu nr̃a, & sint Baronie, & obierit, heres ejus nõ det aliud releviũ, nec faciat nob̃ aliud ꝟviciũ, qᵗ facet Baroni si illa esset in manu Baronis, & nos eodem modo eam tenebim⁹, quo Baro eam tenuit. Nec nos occõne talis Baronie, vel escaete, ħebim⁹ aliquam escaetam, vel custodiam aliquoꝝ nr̃oꝝ hõĩm, nisi de nob̃ alibi tenuit in capite ille qui tenuit baroniam, vel escaetam. Nullus liber homo det decet̃o amplius alicui, vel vendat de t̃ra sua, qᵃ ut de residuo terre sue, sufficient̃ possit fieri dño feodi, ꝟviciũ ei debitum, quod ꝑtinet ad feodum illud. Oẽs patroni Abbaciaꝝ, qui ħent cartas Regum Angł de advocacione, vel antiquã tenuram, vel possessionem ħeant eaꝝ custodiam, cum vacauint, sicut ħere debent & sicut supius declaratum est. Nullus capiat', aut imp'sonet' ꝑpt̃ appellũ femine, de morte alt̃ius qᵃ viri sui. Nullus Comitatus decet̃o teneat', nisi de mense in mensem, & ubi major t̃minus esse solebat, major sit. Nec aliquis Vic̃ vel Ballivus suus faciat turnũ suũ p Hundr̃m, nisi bis in anno, & non nisi in loco debito & consueto, videlt semel post Pascha, & it̃um post festũ sc̃i Mich̃is. Et visus de franco plegio, tũc fiat ad illum t̃minũ Sc̃i Mich̃is sine occõne, Ita scilt, qd quilibet ħeat lĩbtates suas, quas ħuit, vel hc̃re consuevit tc̃pe H. Regis, avi nr̃i, vel quas postea ꝓquisivit. Fiat autem visus de franco plegio, sic, videlt, qd pax nr̃a teneat', & qd Theothinga teneat' integra, sicut esse consuevit, & qd Vicecomes non querat occõnes, & qd contentus sit de eo, quod Vicecomes ħere consuevit de visu suo faciendo tempore H. Regis avi nr̃i. Nec liceat decet̃o alicui, dare terram suam domui religiose, ita qd illam resumat de eadem domo tenendam. Nec liceat alicui domui religiose, terram alicujus sic accipe, qd tradat [illam[2]] illi, a quo eam recepit, tenendam. Si quis autem decet̃o terram suam, alicui domui religiose sic dederit, & sup hoc cõvincat', donũ suũ penit⁹ casset', & t̃ra illa domino illius feodi incurrat'. Scutagiũ decet̃o capiat', sicut capi consuevit, tempe H. Regis avi nr̃i. Et salve sint Archiep̃is, Ep̃is, Abbatibus, Priorib̃, Templar̃, Hospitelar̃, Comitib̃, Baronib̃, & oĩnib̃ aliis, tam ecc̃iasticis ꝑsonis, qᵗ secularib̃, oẽs libertates, & libere consuetudines, quas p'us ħuerunt. Oẽs autem consuetudines, & lĩbtates ꝑdc̃as, quas concessim⁹ in regno nr̃o tenendas, qᵃntum ad nos ꝑtinet erga nr̃os, oẽs de regno nr̃o tam clici qᵗ laici obserṽet qᵃntum ad se ꝑtinet erga suos. Pro hac autem donacione & concessione

[1] mesura [2] eam

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libtatum istaꝝ, & aliaꝝ contentaꝝ in carta nr̃a, de libtatibꝫ foreste, Archiep̃i, Ep̃i, Abbates, Priores, Comites, Barones, Milites, libe tenentes, & om̃es de regno nr̃o, dederunt nob quintandecimam ꝑtem õim mobiliũ suoꝝ. Concessim⁹ eciam eisdem ꝑ nob & heredibꝫ nr̃is, qđ nec nos, nec heredes nr̃i, aliquid ꝑquirem⁹, ꝑ quod libtates in hac carta contente, infringant^r vel infirment^r. Et si ab aliquo cont^a hoc aliquid ꝑq^isitũ fuͥit, nichil valeat, & ꝑ nullo ħeatur. Hiis testibꝫ, dño S. Cantuar̃ Archiep̃o, E. Londoñ Ep̃o, J. Bathoñ Ep̃o, P. Wyntoñ, H. Lincolnieñ, R. Saꝝ, W. Roff, W. Wygorñ, J. Elyeñ, H. Herefordeñ, R. Cycestr̃, W. Exoñ Ep̃is; Abbe Sc̃i Edmundi, Abbe Sc̃i Albani, Abbe de Bello, Abbe Sc̃i Augustini Cantuar̃, Abbe de Evesham, Abbe de Westm̃, Abbe de Burgo Sc̃i Petri, Abbe de Reding̃, Abbe de Abyndoñ, Abbe de Malmesbury, Abbe de Wynchecumbe, Abbe de Hida, Abbe de Certeseye, Abbe de Shirburn, Abbe de Cerne, Abbe de Abbotesbir̃, Abbe de Middeltoñ, Abbe de Seleby, Abbe de Cyrencestr̃; H. de Burgo [Justiciar̃,[1]] H. Comite Cestr̃ & Lincolñ, W. Comite Saꝝ, W. Comite Warenñ, G. de Clare Comite Gloucestr̃ & Hertford, W. de Ferrar̃, Comite Derb, W. de Mandevill, Comite Essex, H. le Bygod Comite Norff, W. Comite Albermarlie, H. Comite Hereford, J. Constabular̃ Cestr̃, R. de Ros, R. filio Walt̃i, R. de Vet̃i Ponte, W. de Brueř, R. de Muntefichet, P. filio Herbi, W. de Aubeny, F. Gresly, F. de Breuš, J. de Munemue, J. filio Alani, H. de Mortuo Mari, W. de Bello Campo, W. de Sc̃o Joħe, P. de [Malo[2]] lacu, Briano de Insula, Thoma de Multon, R. de Argentein, G. de Nevill, W. Mauduit, J. de Balun, & aliis. Dat̃ apđ Westm̃ xj. die Februarii anno regni nr̃i nono. Nos autem donaciones & concessiones p̃dc̃as ratas ħentes & g^atas, eas ꝑ nob, & heredibꝫ nr̃is, concedim⁹ & confirmam⁹, easq; tenore p̃senciũ innovamus. Volentes & concedentes ꝑ nob & heredibꝫ nr̃is, qđ carta p̃dc̃a, in om̃ibꝫ & singlis suis articulis imꝑpetuũ firmit̃ & inviolabilit̃ observet^r, eciam si aliqui articuli in eadem carta contenti hucusq; forsitan non fuͥint observati. [Hiis testibꝫ, ven̄abilibꝫ pr̃ibꝫ, R. Cantuar̃ Archiep̃o, tocius Angl primate, A. Dunelm Ep̃o, R. Londoñ, R. Elyeñ, T. Exoñ, W. Coventr̃ & Lycħ, S. Saꝝ, J. Roff, J. Norwic̃, & J. Landaveñ Ep̃is, J. Lincolñ elco, Joħe de Warenna Comite Surr̃, Thom̃ Comite Lancastr̃, Rog̃o le Bygod, Comite Norff, & Marescallo Angl, Henrico de Lacy Comite Lincolñ, Rađo de Monte Hermeri Comite Gloucestr̃ & Hertford, Humfrido de Bohun Comite Hereford & Essex̃, Guidone de Bello campo, Comite Warr̃, Ric̃o filio Alani, Comite Arundell, Reginaldo de Grey, Joħe de Hasting̃g, Henr̃ de Percy, Hugone le Despens̃, Hugone de Veer, Robto de Tateshale, Hugone Bardolf, Hugone de Curtenay, Joħe de Seg^ave, Henrico de Grey, Willmo de Ros de Helmesleye, Alano la Zousche, Robto de Tony, Robto de Monte Alto, Willo de Brewoš, Thoma de Furnivall, Joħe Engaigne, Petro Corbet, Willo de Leyburn, Willo le Latimer, Walt̃o de Bello Campo, Senescallo Hospicii nr̃i, Walt̃o de Hunt̃cumbe, & aliis. Dat̃ ꝑ manũ nr̃am apud Westm̃, vicesimo octavo die Marcij, anno &c. vicesimo octavo.[3]]

[1] Justic̃ nr̃o, [2] mala

[3] In cuj⁹ rei testimoniũ, has ł̃ras nr̃as fieri fecim⁹ patentes. Teste Edwardo fil nr̃o ap̃d Westm̃, duodecĩo die Octobr̃, anno regni nr̃i vicesimo quinto.

CARTA de FORESTA
REGIS EDWARDI, I.

XXVIII° DIE MARCII, ANNO REGNI XXVIII.

A.D.MCCC.

Carta de Foresta.

R. Archiep̃is &c. Justic̃, Forestar̃, Vicecomitib3, Prepositis & om̃ib3 Ballivis & fidelib3 suis, p̃sentem cartam inspectur̃ saltm. Inspexim⁹ cartam Dñi H. quondam Regis Angl̃ pr̃is nr̃i de Foresta, in hec verba. HENRICUS dei gr̃a Rex Angl̃ Dñs Hib̃n̄, Dux Normann̄, Aquit̃, & Comes Andeg̃, Archiep̃is, Ep̃is, Ab̃batib3, Priorib3, Comitib3, Baronibus, Justiciar̃, Forestar̃, Vicecomitib3, Prepõitis, Ministris, & om̃ib3 Ballivis & fidelib3 suis p̃sentem cartam inspectur̃, saltm. Sciatis qđ nos intuitu dei, & ꝑ salute anime nr̃e, & animaꝝ antecessoꝝ & successoꝝ nr̃oꝝ, ad exaltac̃oem Sc̃e Ecc̃lie, & emendac̃oem regni nr̃i, spontanea & bona voluntate nr̃a, dedim⁹ & concessim⁹, Archiep̃is, Ep̃is, Comitibus, Baronib3, & om̃ib3 de regno nr̃o has lib̃tates subsc'ptas, tenendas in regno nr̃o Angl̃, imꝑpetuū. In p'mis om̃es Foreste, quas Henricus Rex Avus nost̃ afforestavit, videantur ꝑ bonos & legales hõies, & si boscum aliquem, alium, q^a suū dñicum afforestaṽit, ad dampnū illius, cujus boscus ille fu̅it, deafforestet^r, & si boscum suū ꝑprium afforestaṽit, remaneat foresta, salva cõmuna de herbagio, & aliis in eadem foresta, illis qui p'us eam h̃ere consueverunt. Homines vero qui manent ext^a forestam, non veniant decet̃o coram Justiciar̃ nr̃is de foresta, ꝑ cõmunes sūmonic̃oes, nisi sint in placito, vel plegii alicujus, vel aliquoꝝ, qui attachiati sūt ꝑpt̃ forestam. Om̃es autem bosci qui [fuerunt[1]] afforestati ꝑ Regem Ric̃m Avunc̃lm nr̃m, vel ꝑ Regem Joh̃em pr̃em nr̃m, usq; ad p'mam coronac̃oem nr̃am, statim deafforestentur nisi sit dñicus boscus nost̃. Archiep̃i, Ep̃i, Abbates, Priores, Comites, Barones, Milites, libere tenentes, qui h̃ent boscos suos in Forestis h̃eant Boscos suos, sicut eos h̃uerunt, tempore p'me coronac̃ois Regis Henrici Avi nr̃i, Ita qđ quieti sint imꝑpetuū de om̃ib3 [p'presturis,[2]] vastis & [assartis,[3]] fc̃is in illis Boscis, post illud tempus usq; ad p'ncipiū sc̃di anni coronacionis nr̃e. Et qui decet̃o vastum, [purp̃sturam, vel assartum sine licencia nr̃a in illis fec̃int,[4]] de vastis, [p'presturis[2]] & [assartis[3]] respondeant. [Regardatores[5]] nr̃i eant ꝑ Forestas, ad faciend̃ regardum, sicut fieri consuevit tempore p'me coronac̃ois Regis Henrici, Avi nr̃i, & nō alit̃. Inquisicio vel visus de expeditac̃oe canū existenciū in foresta decet̃o fiat, quando fieri debet regardum, scilt de t̃cio anno in terciū annū, & tunc fiat ꝑ visum & testimoniū legaliū hõim & non alit̃, & ille cujus canis inventus fu̅it tunc non expeditatus, det ꝑ miserecordia tres solidos. Et decet̃o nullus bos capiatur ꝑ expeditacione. Talis autem [fiat[6]] expeditacio ꝑ assisam cõmunit̃ [usitatam,[7]] qđ tres [ortelli[8]] abscidant^r sine pelota de pede anteriori. Nec expeditent^r canes decet̃o, nisi in locis ubi consueverūt expeditari, tempore p'me coronacionis p̃đc̃i Regis Henrici Avi nr̃i. Nullus Forestarius vel bedellus decet̃o faciat scotallas vel colligat garbas, vel avenam, vl̃ bladum aliquod, vel agnos, vel [porcellos,[9]] nec aliquam collectam faciat, et ꝑ visum & sac̃r̃m duodecim [regardatoꝝ,[10]] quando facient regardum, tot Forestarii ponant^r ad forestas custodiendas, quot ad illas custodiendas racionabilit̃ viderint suffic̃e. Nullum [Swainimotum[11]] decet̃o teneat^r in regno nr̃o, nisi ter in anno, videlt in p'ncipio quindecim dieꝝ ante festum Sc̃i Mich̃is, quando agistatores nr̃i cõveniunt, ad agistand̃ dñicos boscos nr̃os, & circa festum Sc̃i Martini, quando agistatores nr̃i debent recipe pannagiū nr̃m, et ad ista duo [Swainimota[12]] conveniant forestarii, ([13]) & agistatores & [non[14]] alii ꝑ districc̃oem, et t̃cium [Swainimotū[11]] teneat^r in inicio quindecim dieꝝ ante festum Sc̃i Joh̃is Baptẽ ꝑ feonacione bestiaꝝ nr̃aꝝ, & ad illud [Swainimotū[11]] tenendū, conveniant forestarii, viridarii,

[1] fu̅int [2] ꝑp̃sturis [3] essartis [4] vl̃ ꝑp̃sturā sine licencia nr̃a ī illis fec̃int, vl̃ essartum, [5] Regardores [6] sit [7] *deest.* [8] ortilli [9] purcellos [10] Regardoꝝ [11] Swanimotum [12] Swanimota [13] Viridarii, [14] nl̃li

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& non alii p districc̃oem. Pret̃ea singlis quadraginta dieb3 p totum annū, conveniant forestarii & viridarii, ad [videnđ [1]] attachiamenta de Foresta tam de viridi q[a] de venac̃oe p p̃sentac̃oem forestarioꝝ ip̃oꝝ, & coram ip̃is attachiatis. Predicta autem [Swainimota [2]] non teneant[r] nisi in Comitatib3 in quib3 teneri consueverūt. Unusquisq, liber homo agistet boscum suū ([3]) in Foresta p voluntate sua, & h̃eat pannagiū suū. Concedimus eciam qđ unusquisq, liber homo duc̃e possit porcos suos p dñicum boscum nr̃m, lib̃e & sine impedimento ad agistand eos in boscis suis pp[r]is, vel alibi, ubi volu[er]it, et si porci alicujus liberi hominis, una nocte pnoctav̄int in foresta nr̃a, non inde occ̃onet[r], unde aliquid de suo pdat. Nullus decet̄o amittat vitam vel membra p venacione nr̃a, set si quis captus fu[er]it, & convictus de capcione venacionis, g[r]vit̄ redimat[r], si h̃eat unde redimi possit, si autem nō h̃eat unde redimi possit, jaceat in p[r]sona nr̃a p unū annū & unū diem, et si post unū annū & unū diem plegios invenire possit, exeat de p[r]sona, sin autem, abjuret regnū Angł. Quicumq, Archiep̃us, Ep̃us, Comes vel Baro veniens ad nos, ad mandatum nr̃m, t[a]nsierit p forestam nr̃am, liceat ei cape unam bestiam, vel duas, p visū forestarii si p̃sens fu[er]it, sin autem, faciat cornari, ne videat[r] furtive hoc fac̃e. Idem liceat eis in redeundo fac̃e sicut p̃dcm̄ est. Unusquisq, liber homo decet̄o sine occ̃one faciat in bosco suo, vel in t̃erra sua quam h̃et in foresta molendinū, vivariū, stagnū, marleram, fossatum, vel terram arabilem ext[a] cooptum in terra arabili, ita qđ non sit ad nocumentū alicujus vicini. Unusquisq, liber homo h̃eat in boscis suis aereas ancipitrum, espvarioꝝ, falconū, aquilaꝝ, & [heironū, [4]] h̃eat similit̄ mel quod invētum fu[er]it in boscis suis. Nullus forestarius decet̄o, qui nō sit forestarius de feodo firmam nob̃ reddens p balliva sua, capiat [chiminagiū [5]] aliquod in balliva sua. Forestarius autem de feodo, firmam nob̃ reddens p balliva sua capiat [chiminagiū, [5]] videl̃t p caretta p dimidiū annū duos denar̃ & p aliū dimid annū, duos denar̃, ([6]) p equo qui portat sūmagiū p dimidiū annū, obolū, & p aliū dimidiū annū, obolum, & non, nisi de illis qui de ext[a] bal̃iam suam tanq[a] m̃catores veniūt p licenciam suam, in ballivam suam, ad buscam, [maeremiū, [7]] corticem vel carbonem emend & alias ducend ad vendend ubi voluerint, et de nulla alia caretta vel summagio aliquo [chiminagiū [5]] capiat[r]. Et non capiat[r] [chiminagiū, [5]] nisi in locis in quib3 antiquitus capi solebat & debuit. Illi autem qui portant sup dorsum suū buscam, corticem vel carbonem, ad vendend, q[r]mvis inde vivant, nullum decet̄o dent [chiminagiū. [5]] Om̃es utlagati p foresta [nr̃a [8]] t̃m̄ a tempore Regis Henrici Avi nr̃i usq, ad p[r]mam coronac̃oem nr̃am, veniant ad pacem nr̃am sine impedimento & salvos plegios inveniant, qđ decet̄o non forisfacient nob̃ de foresta nr̃a. Nullus [Constabularius, [9]] Castellanus [vel alius, [10]] teneat placita de foresta, sive de viridi, sive de venac̃one, set quilibet forestarius de feodo attachiet placita de foresta, tam de viridi q[r] de venac̃oe, & ea p̃sentet viridariis p[r]vinciaꝝ & cum [irrotulata [11]] fu[er]int, & sub sigil̃l viridarioꝝ inclusa, p̃sentent[r] capitali forestario nr̃o cū in p[r]tes illas venerit, ad tenend placita foreste, & coram eo p[r]minent[r]. Has autem lib̃tates de forestis, concessimus om̃ib3, salvis Archiep̃is, Ep̃is, Abbatib3, Priorib3, Comitib3, Baronib3, Militib3, & aliis tam p[r]sonis eccl̃iasticis, q[a] secularib3, Templariis & [Hospitelariis, [12]] lib̃tatib3 & liberis consuetudinib3, in forestis & ext[a] in warennis, & aliis, quas p[r]us h̃uerunt. Om̃es autem istas consuetudines p̃dc̃as & lib̃tates, quas concessimus in regno nr̃o tenendas q[r]ntum ad nos p[r]tinet erga nr̃os; om̃es de regno nr̃o, [tam clici q[a] laici [13]] observent, q[r]ntum ad se p[r]tinet erga suos. Pro hac [autem [14]] concessione & donacione lib̃tatum istaꝝ, & aliaꝝ lib̃tatum contentaꝝ in majori carta nr̃a de aliis lib̃tatib3; Archiep̃i, Ep̃i, Abbates, Priores, Comites, Barones, Milites, libere tenentes & om̃es de regno nr̃o dederūt nob̃ quintamdecimam p[r]tem om̃ium mobiliū suoꝝ. Concessim[9] ([15]) eisdem p nob̃ & heredib3 nr̃is, qđ nec nos, nec heredes nr̃i, aliquid p[r]quirem[9], p quod lib̃tates in hac carta contente infringant[r] vel infirmentur, et si ab aliquo aliquid cont[a] hoc p[r]quisitum fu[er]it, nichil valeat, & p nullo h̃eatur. Hiis testib3, dñio S. Cantuar̃ Archiep̃o, [S. Londoñ Ep̃o, [16]] J. Bathoñ, P. Wyntoñ, H. Lincolñ, R. Saꝝ, B. Roff, W. Wygorñ, J. Elieñ, H. Hereford̃eñ, R. Cicestreñ, W. Exoñ, Ep̃is; Abbe Sc̃i Edmundi, Abbe Sc̃i Albani, Abbe de Bello, Abbe Sc̃i Augustini Cantuar̃, Abbe de Evesham, Abbe de Westm̃, Abbe de Burgo Sc̃i Petri, Abbe de Redyng, Abbe de Abyndoñ, Abbe de Malmesbury, Abbe de Wynchecumbe, Abbe de Hida, Abbe de Certeseye, Abbe de Shireburñ, Abbe de Cerne, Abbe de Abbotesbir̃, Abbe de Middeltoñ, Abbe de Seleby, Abbe de Whiteby, Abbate de Cirencestr̃; H. de Burgo Justic̃, R. Comite

[1] faciendū [2] Swanimota [3] quē h̃t [4] de heyrinis, et [5] cheminagiū
[6] &̃ [7] meremiū, [8] *deest.* [9] *deest.* [10] *desunt.*
[11] inrotulata [12] Hospitalariis [13] *desunt.* [14] ig[r] [15] eciam [16] E. Londoñ,

Carta de Foresta
XXVIII. EDWARDI, I.

Cestr̃ & Lincolñ, W. Comite Saꝛ, W. Comite Warenñ, G. de Clare Comite Gloucestr̃ & Hertford, W. de Ferrariis Comite Derb̃, W. de Maundevill Comite Essex̃, H. le Bygod Comite Norff, W. Comite Aubermarl, H. Comite Hereford, Joh̃e Constabular̃ Cestr̃, Robto de Ros, Robto filio Walt̃i, Robto de Vet̃i Ponte, Willmo Bygewerr̃, Ric̃o de Muntfichet, Petro filio Herbti, Matho filio Herbti, Willmo de Albiniaco, Robto [Gret,[1]] Reginaldo de Breus̃, Joh̃e de Monemue, Joh̃e filio Alani, Hugone de Mortuo mari, Walt̃o de Bello Campo, Willmo de Sc̃o Joh̃e, Petro de Malo lacu, Briano de Insula, Thoma de Multoñ, Ric̃o de Argenteym, Galfr̃o de Nevill, Willmo Maudut, & Joh̃e Balun [& aliis.[2]] Dat̃ apud Westm̃ undecimo die Februar̃ anno regni nr̃i nono. Nos autem donaciones & concessiones p̃dc̃as ratas h̃entes & g̃tas, eas p̃ nob̃ & heredib̃ nr̃is, concedim⁹ & confirmam⁹, easq; tenore p̃senciũ innovam⁹. Volentes & concedentes p̃ nob̃ & heredib̃ nr̃is, qd̃ carta p̃dc̃a, in om̃ib̃ & singulis suis articulis imppetuũ firmit̃ & inviolabilit̃ observet̃, eciam si aliqui articuli in eadem carti contenti hucusq; forsitan nõ fuint observati. Hiis testib̃, ven̄abilib̃ p̃rib̃ R. Cantuar̃ Archiep̃o, tocius Angl̃ primate, A. Dunelm̃ Ep̃o, R. Londoñ, R Elien̄, T. Exoñ, W. Coventr̃ & Lych̃, S. Saꝛ, J. Roff & J. Landaven̄ Ep̃is, J. Lincolñ Etco; Joh̃e de Warenna Comite Surr̃, Thoma Comite Lancastr̃, Rog̃o le Bygod Comite Norff & Marescallo Angl̃, Henr̃ de Lacy Comite Lincolñ, Rado de Monte Hermeri Comite Gloucestr̃ & Hertford, Humfrido de Bohun Comite Hereford & Essex̃, Guidone de Bello campo Comite Warr̃, Ric̃o filio Alani Comite Arundel, Reginaldo de Grey, Joh̃e de Hasting, Henr̃ de Percy, Hugone le Despens̃, Hugone de Veer, Robto de Tateshale, Hugone Bardolf, Hugone de Curtenay, Joh̃e de Segᵉve, Henr̃ de Grey, Willmo de Ros de Helmesleye, Alano la Zousche, Robto de Tony, Robto de Monte Alto, Will̃o de Brewos̃, Thoma de Furnivall, Joh̃e Engaigne, Petro Corbet, Willmo de Leyburñ, Will̃o le Latimer, Waltero de Bello Campo Senescallo Hospicii nr̃i, Walt̃o de Hunt̃cumbe, & aliis. Dat̃ p̃ manũ nr̃am apud Westm̃ vicesimo octavo die Marcii, anno &c. vicesimo octavo.

[1] Gresl [2] *desunt.*

Carta Confirmationis
REGIS EDWARDI, I.
XIV DIE FEBRUARII, ANNO REGNI XXIX.
A.D.MCCC-I.

EDWARDUS dei gr̃a Rex Angl̃ Dominus Hib̃n & Dux Aquitanñ, omnib̃ ad quos presentes litt̃e pvenint saltm. Sciatis qd̃ cum nos magnam cartam d̃ii H. quondam Regis Angl̃ patris nostri de libertatib̃ Anglie una cum Carta de Foresta concesserimus & confirmaverimus, ac innovaverimus per cartam nostram, p̃cepimusq; qd̃ Carte ille in singulis suis articulis teneantur & firmiter observentur; Volumus & concedimus p̃ nobis & heredibus nostris qd̃ si que statuta fuerint contraria dictis Cartis, vel alicui articulo in eisdem Cartis contento, ea de cõmuni consilio regni nostri modo debito emendentur, vel eciam adnullentur. In cujus rei testimonium has litteras nostras fieri fecimus patentes. Teste meip̃o apud Lincolniam, quarto decimo die Februarii, Anno Regni nostri vicesimo nono.

End of The Charters.

The Statutes

MADE IN THE REIGNS OF

HENRY III. | EDWARD II.
EDWARD I. | EDWARD III.

Kings of England.

PRECEDED BY

A CHRONOLOGICAL TABLE.

CHRONOLOGICAL TABLE

OF

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Where the Latin or French Title or Description of any Instrument is printed in Italic Letter, it is to be understood that the Instrument is not inserted in any former printed Collection of the Statutes: Where the English Title or Description is so printed, the whole Translation is new.—N. shews that the Instrument is inserted in the Notes.

The Column marked Printed Editions, *refers to the earliest in which each Instrument first appeared.*—Vet. Stat. *signifies the Edition of the Vetera Statuta by Pynson* 1508, *&c.*—2 Vet. Stat. "*Secunda Pars Veterum Statutorum,*" *printed by Berthelet* 1532, *&c.*—Tott. *The Editions of the Antiqua Statuta by Tottell.*—Nova Statuta, *the Edition printed by Maclinia* 1482, *and reprinted by Pynson* 1497.

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1235-6.	Hen. III. An. 20.	Provisiones de Merton. - - / The Provisions of Merton. - -	Latin	MS. Cott. Claudius D. II.	Rot. Claus. 20 H. 3. Rot. Pat. 21 H. 3. Lib. Scacc. Westm. X. Rot. Bodl. MS. Cott. XVI. MSS. Harl. 395, 493, A, 746, 5022. MS. Reg. 15 A. XXXI.	Vet. Stat.	1
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		Protestatio Regis et Magnatum. N. - -	Latin	Rot. Pat. 37 H. III.	- - - - -	——	7
1256.	An. 40.	Provisio de Anno Bissextili & Die. - - / A Provision for the Day in Leap Year. -	Latin	Lib. Rub. Scacc. Westm.	Lib. Scacc. Westm. X. MS. Cott. Claud. D. II.	Vet. Stat.	7
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		De Statutis Legendis & proclamandis. N.	Latin	Rot. Pat. 3 E. I.	Lib. Horn, Lond.	——	39
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1368	An. 42.	Statutum editum apud Westm̄, primo die Maii anno xlij Regis E. tercii. Statute made at Westminster on the First Day of May in the Forty-second Year of King Edward III.	French	Rot. Stat. *m.* 3.		Nova Statuta.	388
1369	An. 43.	Statute made in the Parliament holden at Westminster on the Octave of the Holy Trinity.	French	Rot. Stat. *m.* 2.			390
1370-1	An. 45.	Statutum de Anno quadragessimo quinto Regis E. tercii. Statute of the Forty-fifth Year of K. Edward III.	French	Rot. Stat. *m.* 1.			393
1372	An. 46.	*Ordinance concerning Lawyers and Sheriffs returned to Parliament.*	French	Rot. Parl. 46 E. III.		Cay.	394
1373	An. 47.	Statutum de anno xlvij° R. E. tercii. Statute of the Forty-seventh Year of King Edward III.	French	Lib. Scac. Westm. X.	Lib. Scac. Westm. IX.		395
1376-7	An. 50.	De Pardonacionibus & graciis factis per Regem Communitati regni sui Anglie: Anno quinquagesimo Reg. E. tercii Of the Pardons and Graces, granted by the King to the Commonalty of his Realm of England: In the Fiftieth Year of King Edward III.	French	Rot. Stat. *m.* 1.	Rot. Parl. 51 E. III. Rot. Pardon' 51 E. III.	Nova Statuta.	396

THE STATUTES.

STATUTES OF KING HENRY THE THIRD.

Anno 20° HENRICI, III. A.D. 1235-6.

Provisiones de Merton.

THE PROVISIONS OF MERTON.

Ex MS. Cott. Claud. D. II. fo. 142.

PROVISUM est in Cur̃ Dñi Reg̃ die Mercur̃ in Crastino Sc̃i Vincencii, Anno regni Regis H. fil̃ Regis Johñis vicesimo, apud Mertoñ, coram (1) Archiep̃o Cantuar̃, & [Ep̃is suffraganeis [2]] corã majori parte Com̃ & Baronũ Anglie ib̃m existencium [p̃curacione [3]] ip̃ius Dñi Regis, & Alianore Regine, p̃ qua omnes vocati fuerunt; Cum tractatũ esset de cõi utilitate regni sup̃ articlis subscriptis: Ita p̃visũ fuit & concessum, tam a p̃dc̃is Archiep̃o, Ep̃is, Comitib̃, Baronib̃, q̃m ab ip̃o Rege & aliis. †

Ca^m. j. ¶ De Viduis [vero [4]] que post mortem viro3̃ suo3̃ expellunt̃ de dotib̃ suis, [& dotes suas vł quarentenam [5]] habere non possunt sine pl̃ito, [[6]videl̃t qd̃ quicumq̃ deforciav̄it eis dotes suas [vel quarentenam suam [7]] de ten̄ de quib̃ viri sui obierũt seisiti, & ipse vidue postea p̃ pl̃itum recupav̄int, ip̃i qui de injusto deforciamento convicti fuint reddant eisdem viduis dampna sua, [8] videl̃t valorem tocius dotis eas [contingentes,[9]] a tempore mortis viro3̃ suo3̃ usq̃ ad diem quo ipse vidue p̃ judicium curie seisinam suam inde recupaverint: Et nichilominus ip̃i deforciatores sint in ñia Reg̃.

ij. ¶ Item omnes vidue de ce3̄o possunt legare blada sua de t̃ra sua, tam de dotib̃ suis q̃m de aliis ([10]) t̃ris & tenementis suis, salvis s̃viciis dño3̃ [que de dotib̃ & aliis tenementis suis debentur."[11]]

[1] Ven̄ p. E. *Rot. Claus.* 20 *Hen. III:* ven̄ p̃ris E. *Rot. Pat.* 21 *Hen. III;* Edm̃o *Rot. Bodl; MS. Harl.* 746.

[2] Coep̃is suis & *Rot. Claus.* Coep̃is suffraganeis suis & *Rot. Bodl: MSS. Harl.* 395, 5022.

[3] *Pro Coronatione* is written in the Margin, which Words occur in *MS. Harl.* 746. and other Manuscripts; and the Printed Copies.

[4] p̃mo *Lib. Scac. X: MS. Harl.* 395.

[5] vł dotes suas & q̃rentenam suam *Rot. Claus.* / vł dotem suam p̃ q̃rantenā *MS. Reg.* 15 *A. XXXI.* / vł dotes suas infra q̃rantenā *MS. Harl.* 493 *A.*

[6—8] & q̃ postea p̃ placit̃ dotes suas recupav̄int de tenemẽtis de quib̃ viri ea3̃ obierũt seisiti, recupent simul cum dotib̃ suis, de ił q̃ de injusto deforciamẽto 9victi fuint dampna sua; *Rot. Claus: MS. Reg.*

[7] *MS. Harl.* 493 *A; MS. Cott. XVI.* omit.

[9] contingentis *Rot. Claus: Rot. Bodl.*

[10] lib̃is *Rot. Claus; MS. Reg.*

[11] que debent̃ de dotib̃ *Rot. Claus: Lib. Scac. X: MS. Reg: MSS. Harl.* 493 *A*; 746.

IT was Provided in the Court of our Lord the King, holden at Merton on Wednesday the Morrow after the Feast of St. Vincent, the 20th year of the Reign of King Henry the Son of King John, before [William [1]] Archbishop of Canterbury, and [other his Bishops and Suffragans [2]] and before the greater part of the Earls and Barons of England there being assembled, for the Coronation of the said King, and Hellianor the Queen, about which they were all called; [where [3]] it was treated for the Commonwealth of the Realm upon the Articles underwritten; thus it was provided and granted, as well of the foresaid [Archbishops,[4]] Bishops, Earls and Barons, as of the King himself and others.

I. Damages to Widows on a Writ of Dower.

FIRST, Of Widows which after the Death of their Husbands are deforced of their Dowers, [and cannot have their Dowers or Quarentine [5]] without Plea, [[6] whosoever deforce them of their Dowers or Quarentine of the Lands, whereof their Husbands died seised, and that the same Widows after shall recover by Plea; they that be convict of such wrongful Deforcement shall yield Damages to the same Widows;[6]] that is to say, the Value of the whole Dower to them belonging, from the time of the Death of their Husbands unto the Day that the said Widows, by Judgement of our Court, have recovered Seisin [of their Dower, &c.[7]] and the Deforcers nevertheless shall be amerced at the King's Pleasure.

II. Widows may bequeath the Corn on their Lands.

ALSO, From henceforth Widows may bequeath the [Crop of [8]] their Ground, as well of their Dowers as of other their Lands and Tenements, saving to the Lords [of the Fee,] all such Services as be due for their Dowers and other Tenements.

[1] *Edmund* [2] *the Bishops, his Suffragans,*
[3] *when* [4] *Archbishop,*
[5] *or cannot have their Dowers, within the Time of Quarentine,*
[6] *and who afterwards by Plea recover their Dowers of the Tenements whereof their Husbands died seised, they shall recover together with their Dowers, from those which be convict of such wrongful Deforcement, their Damages;*
[7] *thereof* [8] *Corn upon*

† The Introductory Clause is given very variously in different Manuscripts. The Copy in MS. Reg. 15 A. XXXI. of the Time of Edw. I. which agrees in general with the Close Roll 20 Hen. III. begins as follows.

"Henricus dei gr̃a Rex Angł, Dñs Hybñ, &c. Vic̃, Saltm. Sciatis qd̃ in die Mercur̃ in crastino Sc̃i Vinc̃, anno regni nr̃i vicesimo apud nł̃toñ in Cur̃ nr̃a coł̃ nob̃ ac venabili p̃re Archiep̃o Cant̃ & Coep̃is suis, & coł̃ majori p̃te Comit̃, Baroñ nr̃o3̃, p̃ cõi utilitate tocius Regni nr̃i Angł ¶ Provisum fuit & tam a predc̃is Archiep̃o, Ep̃is, Comit̃, Baroñ q̃m a nob̃ concessum qd̃ de ce3̄o om̃es Vidue que post mortem viro3̃ suo3̃" &c.

Copies of the Entries on the Close Roll and Patent Roll, referred to in the Notes, are subjoined at the End of the Statute.

102089

III. Punishment in cases of Redisseisin.

ALSO, If any be disseised of their Freehold, and before the Justices in Eyre have recovered Seisin by Assise of Novel disseisin, or by confession of them which did the Disseisin, and the Disseisee hath had Seisin delivered (1) by the Sheriff, if the same Disseisors after the Circuit of the Justices, or in the mean time, [have disseised [2]] the same Plaintiff of the same Freehold, and thereof be convict, they shall be forthwith taken and committed, and kept in the King's Prison until the King hath discharged them, by Fine or by some other mean. And this is the Form [how such convict Persons shall be punished;[3]] when the Plaintiffs come into the Court of our Lord the King, they shall have the King's Writ directed to the Sheriff, in which must be contained [the Plaint of Disseisin framed upon the Disseisin: [4]] And [then [5]] it shall be commanded to the Sheriff, that he, taking with him the Keepers of the Pleas of the [King's] Crown, and other lawful Knights, in his proper Person, shall go unto the Land or Pasture, whereof the Plaint hath been made, and that he make before them, by the first Jurors, and other Neighbours, and lawful Men, diligent Inquisition thereof; and if [they [6]] find him disseised again, as before is said, then let him do according to the Provision aforementioned; but if it be found otherwise, the Plaintiff shall be amerced, and the other shall go quit; neither shall the Sheriff [execute [7]] any such Plaint without special Commandment of the King. In the same manner shall be done [to [8]] them that have recovered their Seisin by Assise of Mortdauncester; [and so shall it be of all Lands and Tenements recovered in the King's Court by Enquests,[9]] if they be disseised after by the first Deforceors, against whom they have recovered any wise by Enquest.

Proceedings by the Sheriff in such Cases.

IV. Common of Pasture by Freeholders within great Manors.

ALSO, Because many great Men of England, which have infeoffed Knights and their Freeholders of small Tenements in their great Manors, have complained that they cannot make their Profit of the residue of their Manors, as of Wastes, Woods, and Pastures, whereas (10) the same Feoffees (11) have sufficient Pasture (12) as much as belongeth to their Tenements; (13) It is provided and granted; That whenever such Feoffees do bring an Assise of Novel disseisin for their Common of Pasture, and it is knowledged before the Justicers, that they have as much Pasture as sufficeth to their Tenements, and that they have free [Egress and Regress [14]] from their Tenement unto the Pasture, then let them be contented therewith; and they on whom [it was complained [15]] shall go quit [of as much as [16]] they have made their Profit of their Lands, Wastes, Woods, and Pastures; And if they alledge that they have not sufficient Pasture, or sufficient Ingress and Egress according to their Hold, then let the Truth be inquired by Assise; And if it be found by the Assise, that the same Deforceors have (17) disturbed them of their Ingress and Egress, or that they had not sufficient Pasture, as before is said, then shall they recover their Seisin by

Approvement by Lords.

Remedy for Freeholders.

[1] him [2] shall again disseise

[3] *how such Persons ought to be convicted;*

[4] their Declaration of the disseisin done upon disseisin:

[5] therefore [6] *he*

[7] prosecute [8] for

[9] *and in like Manner for all others who may have recovered Lands and Tenements in any Manner in our Court by Enquest;*

[10] nevertheless [11] may

[12] there [13] Thus

[14] *Ingress and Egress*

[15] they have complained [16] for that

[17] in any thing,

iij.

¶ Item si quis fuit disseisitus de libo tenemento suo, & coram Justic itinantibs seisinam suam recupavit p ass'm nove disse'ie, vel p [recognicionem [1]] eor qui fecerint disseis, ([2]) & ipe disseisitus p Vic seisinam suam habuerit, Si iidem disseisiatores postea post it Justic ([3]) [de eodem ten [4]] itum eundem conquerentem disseis, & inde convicti fuint, statim capiant', & in prisona Dni Regis detineant', quousq, p Dnm Reg p redempcionem vel aliquo alio modo deliber'. [[5]] Et hec est forma qualit tales [convicti puniri debeant;[6]] Videlt cum conquerentes ad Cur venint hent br'e Dni Regis vic directum, in quo contineat' eor narracio de disse'ia facta sup disse'iam: Et ideo mandet' Vic qd assumptis secum custodibs ptitor corone & aliis legalibs militibs, in ppria psona sua accedat ad ten illud, vel pasturam illam de quibs facta fuerit querela, & coram eis p p'mos juratores & p alios vicinos & leg homines diligentem inde faciat inquisic'oem: & si ipm iterum invenit disseisitum sicut pdc'm est, fac tunc sc'm provisionem pdictam; sin autem, tunc sit conquerens in mia dni ([7]), & ali quietus recedat. Nec debet Vic sine spali pcepto Dni Regis hujusmodi loquelam prosequi.[8]]

¶ Eodem modo fiat de illis qui seisinam recupaverint p ass'm mortis antecessoris, [& de omibs tris et ten recupatis p juratas in Cur Dni R;[9]] Si postea ([10]) disseis fuint a prioribs deforciatoribs vsus q's recupavint [p juratam quoq'modo."]

iiij.

¶ Item quia multi Magnates Anglie, qui feoffavint milites & libe tenentes suos de pvis ten in magnis manriis suis, questi fuunt qd c'modum suum face non potuerunt de residuo Manrior suor sicut de vastis boscis & pastur, [cum ipi feoffati habeant sufficientem pasturam, q'ntu ptinet [12]] ad ten sua: Ita provisum est & concessum qd [quicumq, h'i feoffati [13]] ass'm nove disse'ie deferant de c'a pasture sue, [& coram Justic recognitu fuerit [14]] qd [tantam [15]] pasturam heant q'ntu [sufficit [16]] ad tenementa sua, & qd heant libum ingr'm & egressum de ten suis usq, ad pasturam suam, tunc inde sint contenti, & illi de quibs conquesti fuerint recedant quieti de hoc qd c'modum suu de tris, [vastis, boscis, & pastur [17]] fecint.

¶ Si autem dixint qd sufficientem pasturam [non heant,[18]] vel sufficiente ingr'm vel egressum, quantu ptinet ad ten sua, tunc inquirat' veritas p ass'm: Et ([19]) p ass'm recognitum fuit [p eosdem qd [20]] in aliquo fuit impeditus eor ingressus vel egressus, vel qd non habeant sufficientem pasturam [& sufficientem ingressum & egressum [21]] sicut pdc'm est, tunc recupent se'iam suam p visum juratorr: Ita qd

[1] cognic'oem *Rot. Claus.*

[2] vt q'cuq, alio modo p judm Cur nre { *Rot. Claus.* Interlined. / *MS. Reg.*

[3] vt inf' *Rot. Claus: Lib. Scac. X: Rot. Bodl: MS. Reg.*

[4] *Rot. Claus; Rot. Bodl: MS. Reg.* omit.

[5]—[8] *MS. Reg.* omits these Sentences; *Rot. Claus.* reads as follows: Nos aut mandabim' t' formam p alias litras nras quatr h'i disseitores convinci debant cu h'i loquele ad Cur nram venint; nec potis tu h'i loquelas tene sn spali mandato nro.

[6] convinci debeant *Rot. Bodl: MS. Harl.* 746.

[7] Reg *Lib. Scac. X.* [8] See note [5]—[8].

[9] & sitr, omibs aliis q' tras & tenementa quocuq, modo in Cur nra p juratam recupavint [vt q'cuq, alio modo p judm Cur nre;] *Rot. Claus: MS. Reg.*

The words in Brackets are interlined in *Rot. Claus.*

[10] inde *Rot. Claus.*

[11] *Rot. Claus: Rot. Bodl: MS. Reg.* omit.

[12] desic ipi feoffati sufficientem possent hre past'am q'tenus ptinet *Rot. Claus.*

[13] cum h'i a quibs feoffati *Rot. Claus.*

[14] si coram Justic cognovint *Rot. Claus.*

[15] sufficie'tem *Rot. Claus.* [16] ptinet *Rot. Claus.*

[17] vt vastis, vt past'is *Rot. Claus.* [18] huint *Rot. Claus.*

[19] si *Rot. Claus: Lib. Scac. X.*

[20] { qd p eosd *Rot. Claus: MS. Reg: MS. Harl.* 493 *A*; 5022. / qd p eosdem deforciatores *Rot. Bodl: MSS. Harl.* 395, 746.

[21] *Rot. Claus; MS. Reg; MS. Harl.* 746, omit.

p discrecionem & sacr̃m eorū habeant conquerentes sufficientem pasturam, & sufficientem ingr̃m & egr̃m in forma p̃dicta. ¶ Et disseisitores sint in ñiia Dñi Reg̃, & dampna reddant sicut reddi [debent[1]] ante p̃visionem istam. Si autem recognitum fuit p ass[a]m qđ conquerentes sufficientem habent pasturam cū lib̃o & sufficienti ingressu & egressu ut p̃dc̃m est, tunc licite faciant alii cōmodum suū de residuo, & recedant de illa assīa quieti.

v. ¶ Similit̃ p̃visum est & a dño Rege concessum, qđ de cet̃o non currant usure contra aliquem infra etatem existentem, a tempore mortis antecessoris sui, cujus heres ip̃e est, usq; ad legitimam etatem suam. Ita tamen qđ p̃pt̃ hoc non remaneat solucio debiti principalis simul cum usura ante mortem antecessoris sui cujus heres ip̃e est.

vj. ¶ De ñedib; p parentes vel p alios (2) vi abductis vel detentis, (3) ita p̃visū est; qđ quicumq; laicus inde convictus fuit qđ p̃um sic (4) maritavit, reddat p̃denti valorem maritagii, & p delicto corp̃ ejus capiat[r] & imprisonet[r] donec p̃denti emendavit delictum si puer maritet[r], & p̃terea donec dño Regi satisfecit p transg[r]ssione; & hoc fiat de herede infra quatuordecim annos existente. De ñede autem cum sit quatuordecim anno; vel ultra, usq; ad plenam etatem, si se maritaverit sine licencia dñi sui, ut ei auferat maritagiū suū, & dñs offerat ei racionabile maritagiū ubi non dispaget[r], dñs suus tunc teneat t̃ram ejus ultra t̃minū etatis sue, scilt viginti & unius anni, p tantū tempus qđ possit inde duplicem valorem maritagii recipe scđm estimac̃oem leg̃ hoīm, vt scđm qđ ei p eodem maritagio p'us fuerit oblatum sine fraude & malicia, & scđm qđ p̃bari pot̃it in Cur̃ dñi Reg̃. ¶ De dñis qui maritavint illos quos habent in custodia villanis vel aliis sic̃ Burgens̃ ubi dispagent[r], si talis heres fuit infra q[a]tuordecim annos, & talis etatis qđ consentire non possit, tunc si parentes conquerant[r], dñs ille amittat custodiam usq; ad legitimam etatem ñedis; & omne cōmodum quod inde p̃ceptum fuit conv̄tat[r] in cōmodum ip̃ius qui infra etatem est, scđm [disposic̃oem[5]] & p̃visionem parentum, [cont[a][6]] dedecus ei f̄m. ¶ Si autem fuit quatuordecim anno; & ultra, qđ consentire pot̃it, & tali maritagio consenserit, nulla sequat[r] pena. ¶ Si quis heres cujuscumq; fuerit etatis p dño suo se noluerit maritare, non compellat[r] hoc fac̃e, sed cum ad etatem p̃ven̄it, det dño suo & satisfaciat ei de tanto q[n]tū p̃cipe posset ab aliquo p maritagio, anteq[a]m t̃ram suam recipiat; & hoc sive voluerit se maritare sive non; Quia maritagiū ej̃ qui infra etatem est, mero jure p̃tinet ad dñm feodi.

vij. ¶ De narracione descensus in br̃i de recto, ab antecessore (7) a tempore H. Reg̃ senioris, anno & die (8) P̃visum est qđ de cet̃o non fiat [mencio de[9]] tam longinquo tempore, s; a tempore H. Regis Avi nr̃i, & locum habeat ista p̃visio ad Pentencosten, anno vicesimo primo & non ante, [p[10]] b̃ria prius impet[a]ta p̃cedant: b̃ria mortis antecessoris, de nativis, [& de ingressu[11]] non excedant ultimū reditum dñi Reg̃ Johīnis (12) in Angliam. B̃ria nove disseie non excedant p[a]m transfretac̃oem dñi Reg̃ qui nūc est in [Vascoñ,[13]] & locum habeat ista p̃visio a tempore p̃dicto, et b̃ria prius impetrata procedant. (14)

[1] solent *Rot. Claus*: *Rot. Bodl.*
[2] contra pacem *MS. Harl.* 395.
[3] seu maritatis, *Rot. Bodl*: *MS. Harl.* 493 *A*: *MS. Cott. XVI.*
[4] detinuit, abduxit, vel *Rot. Bodl*: *MS. Harl.* 493 *A*: *MS. Cott. XVI.*
[5] discrec̃om *Rot. Bodl.*
[6] p̃pt̃ *MS. Harl.* 5022.
[7] q̃ p'us fi solet *Rot. Pat.*
[8] quo obiit *Rot. Pat*: *MS. Reg.*
[9] compuc̃o a *Rot. Pat.*
[10] & *Rot. Pat*: *Lib. Scac. X*: *MS. Reg.*
[11] *Rot. Pat.* omits.
[12] de Hybū *Rot. Pat*: *Lib. Scac. X*: *Rot. Bodl*: *MS. Reg.*
[13] Britanniā, *Rot Pat*: *Lib. Scac. X*: *Rot. Bodl*: *MS. Reg*: *MS. Harl.* 493 *A*: *MS. Cott. XVI.*
[14] Nup obiit quatuord annos: & ideo t̃ precipim̃ qđ om̃ia p̃dc̃a in pleno Com̃ legi fac̃ & de cet̃o firmit̃ teneri: *MS. Reg.*

view of the Inquest: so that by their Discretion and Oath the Plaintiffs shall have sufficient Pasture, and sufficient Ingress and Egress in form aforesaid; And the Disseisors shall be amerced, and shall yield Damages, as they were wont before this Provision. And if it be certified by the Assise, that the Plaintiffs have sufficient Pasture with (1) Ingress and Egress as before is said, let the other make their Profit of the residue, and go quit of that Assise.

V. Usuries shall not run against Minors.

LIKEWISE, It is provided and granted by the King, that from henceforth Usuries shall not run against any being within Age, from the Time of the Death of his Ancestor, whose Heir he is, unto his lawful Age; so nevertheless, that the Payment of the principal Debt, with the Usury that was before the Death of his Ancestor, whose Heir he is, shall not remain (2).

VI. Unlawful Marriage of Heirs; if under Fourteen;

OF Heirs that be led away, and withholden, or married by their [Parents,[3]] or by other, with Force against our Peace, thus it is Provided; That whatsoever Layman be convict thereof that he hath so [withholden any Child, led away, or married,[4]] he shall yield to the Loser the Value of the Marriage; and for the Offence his Body shall be taken and imprisoned until he hath recompensed the Loser, if the Child be married; and further, until he hath satisfied the King for the Trespass; and this [must[5]] be done of an Heir being within the Age of Fourteen Years. And touching an Heir being Fourteen Years old or above, unto his full Age, if he marry without Licence of his Lord to defraud him of the Marriage, and his Lord offer him reasonable and convenient Marriage, without Disparagement, then his Lord shall hold his Land beyond the Term of his Age, that is to say, of One and Twenty Years, so long that he may receive the double Value of the Marriage, after the Estimation of lawful Men, or after as it hath been offered (6) before, without Fraud or Collusion, and after as it may be proved in the King's Court. And as touching Lords, which marry those that they have in Ward to Villains, or other, as Burgesses, where they be disparaged, if any such an Heir be within the Age of Fourteen Years, and of such Age that he cannot consent [to Marriage,] then, if his [Friends[7]] complain [of the same Lord,"] the Lord shall lose the Wardship, unto the Age of the Heir; and all the Profit that thereof shall be taken, shall be converted to the Use of the Heir being within Age, after the [Disposition[9]] and Provision of his [Friends,[7]] for the Shame done to him; but if he be Fourteen Years and above, so that he may consent, and do consent to such Marriage, no Pain shall follow.

if of that Age, or above.

Disparagement of Wards in Marriage.

VII. Refusal of Heirs to marry.

IF [an[10]] Heir, of what Age soever he be, will not marry at the Request of his Lord, he shall not be compelled thereunto; but when he cometh to full Age, he shall give to his Lord, and pay him as much as any would have given him for the Marriage, before [the Receipt of[11]] his Land; and that whether he will marry himself, or not; for the Marriage of him that is within Age of meer Right pertaineth to the Lord of the Fee.

VIII. Limitation of Writs.

Writ of Right.

TOUCHING Conveyance of Descent in a Writ of Right from any Ancestor from the Time of King Henry the elder, the Year and Day, It is Provided, that from henceforth there be no mention made of so long Time, but from the Time of King Henry our Grandfather; and this Act shall take Effect at Pentecost, the one and twentieth Year [of our Reign,] and not afore, and the Writs before purchased shall proceed: Writs of Mortdauncester, of Nativis, and Entre, shall not pass the last Return of King John from Ireland into England; [and this Act shall take effect as before is declared.] Writs of Novel disseisin shall not pass the first Voyage of our Sovereign Lord the King, that now is, into Gascoine; and this Provision shall take his Effect from the Time aforesaid, and all Writs purchased before shall proceed.

Writs of Mortdauncestor, &c.

Writs of Novel Disseisin.

[1] free and sufficient
[2] unpaid by reason of this
[3] Kinsfolks
[4] withholden, led away, or married any child,
[5] shall
[6] him for the said Marriage
[7] Kinsfolk
[8] thereof
[9] discretion
[10] any
[11] he receive

IX. Special Bastardy.

TO the King's Writ of Bastardy, whether one being born before Matrimony, may inherit in like Manner as he that is born after [Matrimony,] all the Bishops answered, That they would not, nor could not answer to it; because it was directly against the common Order of the Church. And all the Bishops instanted the Lords, that they would consent that all such as were born afore Matrimony should be legitimate, as well as they that be born within Matrimony, as to the Succession of Inheritance, forsomuch as the Church accepteth such for legitimate. And all the Earls and Barons with one voice answered, that they would not change the Laws of the Realm, which hitherto have been used and approved.

X. Attornies in County Courts.

IT is Provided and granted, that every Freeman, which oweth Suit to the County, Trything, Hundred, and Wapentake, or to the Court of his Lord, may freely make his Attorney to do those Suits for him.

XI. Trespassers in Parks, &c.

CONCERNING [Trespasses[1]] in Parks and [Ponds[2]] it is not yet discussed; for the Lords demanded the proper Imprisonment of such as they should take in their Parks and [Ponds,[2]] which the King denied; wherefore it was deferred.

[1] Trespassers [2] *Vivaries*

¶ Ad hre p de Bastardia utrū aliquis natus ante matrimoniū habere potit hereditatem, sicut ille qui natus est post, Responderunt omnes Epi qđ nolunt nec possunt ad istud respondere, quia hoc esset contra cōem formam eccliæ: Ac rogavunt omes Epi Magnates ut consentirent qđ nati ante matrimoniū essent legitimi, sicut illi qui nati sunt post matrimoniū quantum ad successionem hereditar, quia eccliа tales habet p legitimis; & omnes Comites et Barones una voce responderunt qđ nolunt leges Anglie mutare que (1) usitate sunt & approbate. (2)

¶ Pvisum [insup[3]] qđ quilt lib homo qui sectam debet ad Com Trithing, Hundr, & Wapentach, vt ad cur dni sui libe possit facere attorn suū ad sectas illas p eo faciend. ix.

¶ De malefactoribz in parcis & vivar, [non est[4]] discussum, quia Magnates pecierunt ppriam [psonam[5]] suā de illis quos [cepant[6]] in parcis & vivar suis; qđ quidem dis Rex contradixit, & ideo differt'. x.

[1] ucusque *Rot. Bodl.*

[2] Et ideo dominus Rex ht consilium suum sub qua forma pcedend erit ad inquis in cur sua de talibz sic natis. *MS. Harl.* 395.

[3] est & concessum *Rot. Bodl.*

[4] { ita est *Rot. Bodl: MS. Cott. XVI.* / non est adhuc *MS. Harl.* 5022. / est *Lib. Scacc. X: MS. Harl.* 395.

[5] p'sonam *Lib. Scac. X: MS. Reg.* [6] capent *Rot. Bodl.*

Ex Rot. Claus. 20 *Hen. III. m.* 18. *d.*

Bre de nova dscõe.

REX Vic Norf & Suf salut. Scias qđ die mcur in Crastino Sci Vinc in Cur nra & cora nob & cora ven p. E. Cant Archiepo & coepis suis, & coram majori parte Com & Baron nroz Angl, p dmūi utilitate tocip regni nri pvisum fuit, tam a pdcis Archiepo epis Com & Bar qam a nob concessum, qđ decetо omes vidue q post mortem virоz suoz expltant' de dotibz suis, vt dotes suas & qrentenam suam hre nō possent sn placito, & q postea p placit dotes suas recupavint de tenemētis de quibz viri eaz obierūt seisiti, recupent simul cum dotibz suis, de itt qi de injusto deforciamēto dvicti fuint, dampna sua; scitt valorem tocip dotis illas contingentis, a tempore mortis virоz suoz usq ad diem quo ipe vidue p judm Cur nre seisinā suā recupavint; & ipi deforciantes nichomin sint in misericordia nra sic p'us solēt. It qđ omes hpi Vidue decetо possint legare blada sua in hra, tam de dotibz suis qm de aliis libis hris & tenementis suis: salvis dviciis dnoz que debent' de dotibz. It si qis fuit disseisit de libo tenemēto suo & coram justic itifantibz seisinā recupavit p assam nove disseisine vt p cognicõem eoz qui disseisinā fecint, [vt q°cūq alio modo p judm Cur nre[1]] & ipe disseisit p vic seisinam suam habuit; si iidem disseisitores postea pt iter Justic vt infa, itm eundem cōquerentem disseisivint & inde dvicti fuint, statim capiant' & in p'sona nra detineant' q°usq p nos p redemcõne vt alio modo deliberent'. Nos aut mandabim ti formam, p alias litras nras, quatr hpi disseisitores cōvinci debant cū hpi loquele ad Cur nram venint, nec potis tu hpi loquelas tene sn spali mandato nro. Eodem mo fiat de illis qui seisinas suas recupavint p assam mortis ancessoris; & sitr omib aliis qi tras & tenementa quocūq modo in Cur nra p Juratam recupavint, [vt q°cūq alio modo p judm Cur nre[2]] si posteai nde disseisiti fuint a priorib deforciatoribz vs quos recupavint. It quia multi Magnates de Regno nro, qi feoffavnt milites & libe ten suos de parvis tenementis in magnis manliis suis, qsti fuint qđ comodum suū face nō potunt de residuo manlioz suoz, sic de vastis boscis & pastris, desic ipi feoffati sufficientem possent hre pastam qtenus ptinet ad tenemēta sua; Ita pvisum est & a nob concessum, qđ cum hpi a quibz feoffati assam nove diss defant de cōmuna pastre, si coram Justic cognovint qđ sufficiētem pastam hant qatū ptinet ad tenemcta sua, & hant ingssum & egssum de tenementis suis usq ad pastā illam, tūc inde sint contenti, & illi de quibz qsti fuint quieti recedant de hoc qđ cōmodum suū de tris vt vastis vt pastis fecint. Si aut dixint qđ sufficientē pastam habunt vt sufficientē ingssum & egssum qntū ptinet ad tenementa sua, tūc inde inqratr vitas p assm; & si p assm recognit fuit qđ p eosd in aliq° fuit ipedit ingssus & egssus, vt qđ nō hant sufficientem pastam sic pdcm est, tūc recupent seisinam suam p visū Juratoz. Ita qđ p discrecõm & sacamentū ipoz hant cōquerentes sufficientē pastam & ingssum & egssum sufficientem in forma pdca; & disseisitores in mia & dampna reddant sic p'us reddi solent an pvisiõem istam. Si aut recognit fuit p assam qđ qrentes hant sufficientem pastam cum libo ingssu & egssu sic pdcm est, tūc licite faciat alii qmodū suū de residuo, & de assisa illa recedant qeti. Ita pvisū est & a nob concessum qđ decetо nō currant usure contra aliquem infa etatem exisntem a tempore mortis ancessoris cujs heres ipe fuit usq ad legitimā etatē suā. Ita tn qđ ppt hoc nō remaneat solucõ debiti pncipal cū usuris an mortē ancessoris sui. Et io ti pcipim qđ omia pdca i pleno Com tuo legi facias, & decetо fmi teneri. Ne als de Com tuo p defcu tui in pdcis casibz se possit p ignorancia excare. T. R. ap Guldef xxx° die Jan.

Eodem modo mand est Vicbz p totam Angl, & ecia Justic Itifant in Combr Sutt & Wilt. T. ut s'.

Ex Rot. Pat. 21 *Hen. III. m.* 10.

De pvisione novoz Brium.

¶ REX Archiepis Epis Abbtib Priorib Combz Bar Militib & omib libe tenentib in Hibnia constitutis Salt. Sciatis qđ in psentia ven pris E. Cant Archiepi Epozum Abbm Comitū & Bar de Regno [nro[3]] Angl & de cōi psilio eorumdē magnatū nup pvisū fuit qđ quedā bria nra de Cursu mutent' in articlis subsc'ptis; vid in narracõne descens ab ancessoribz in Bri de recto q p'us f solet a tempe H. Regis senis anno & die quo obiit pvisū est qđ decetо nō fiat compucō a tam longinq° tempe, set a tempe Regis H. avi nri. Bria mortis ancess & Bria de nativis, quoz mino prius fuit p° p'mam Coz R. Reg avūcli nri, decetо nō excedāt ultimū reditū dni J. Regis pris nri de Hybn in Angl. Bria vero nove disseisine, quoz mino p'us fuit p° p'mā Cor nram ap Westm, decetо nō excedāt tnsfretacõm nram in Britanniā, q fuit p'ma die Maii anno r. n. xiiij°; & fiat sic mino p° tnsfretacõm nram in Britanniā. Sic aut intligenda est pvisio pdca; qđ dsticō ista locū hat & vigorem ad Pentecosten a. r. n. xxj° & nō ante, & bria p'us impet'ta sub minis p'oribz, pcedāt. Quia igit' volum qđ eed leges & dsuetudies q obvant' in Regno nro Angl teneant' in Hybn, Mandavim Justic nro Hybnie, qđ pvisionē pdcam p totā Baliā suā clamari & firmit in Hibn teneri fac; & hoc vob significam ut de pvisione pdca vos certificem, & qntū in vob est eā teneatis. T. R. ap Westm ut s°. (4)

[1] } Interlined on the Roll; in both Places.
[2] }

[3] Struck through on the Roll.

[4] The Article immediately preceding on the Roll is dated, xx die Marc'.

to face page 4 of the Statutes.

Entry upon the Patent Roll 21 H. III.

See Stat. Merton: Note at the End

De provisione novorum Bruum

Rex Archiepiscopis Episcopis Abbatibus Prioribus Comitibus Baronibus militibus et omnibus libere tenentibus in Hibernia constitutis salutem. Sciatis quod in presentia venerabilis patris E. Cantuariensis Archiepiscoporum Abbatum Comitum Baronum de Regno nostro Angl. et de communi consilio eorundem magnitudo nuper provisum fuit quod quedam Bruna nostra de Cursu mutentur in Articulis subscriptis. Videlicet in redditione desiderantibus ab antecessoribus in Bruno de recto quod prius fieri solet a tempore Regis Henrici Senis anno et die quo obiit. Provisum est quod decetero non fiat computatio a tempore longinquo tempore sed a tempore Regis Henrici Anni. Bruna mortis antecessoris et Bruna de Ridamus quorum terminus prius fuit post primam Coram Regis Auncelli nostri decetero non excedat ultimum reditum domini Regis patris nostri de Hybernia in Angl. Bruna vero nove disseisine quorum terminus prius fuit post primam Coram nostram apud Westm. decetero non excedat transfrecationem nostram in Britannia. Quod fuit prima die Mensis Anno Regni nostri XXIII. et fiat sic terminus post transfrecationem nostram in Reditum. Sic autem intelligenda est provisio predicta quod constitutio ista locum habeat et vigorem ad Pentecosten a. Regni nostri XXI. et non ante. et Bruna prius impetrata sub terminis prioribus precedentibus. Quod igitur volumus quod eadem leges et consuetudines que observantur in Regno nostro Angl. teneantur in Hybernia. Mandamus Justitiae nostro Hybernie quod provisione predictam per cotam Balliam suam clamandam et firmiter inhibeat teneri facere. Et hoc vobis significamus ut de provisione predicta vos certificemus. Et quicquid in vobis est ea teneatis. Et Rex apud Westm. etc.

Statutum Hibernie de Coheredibus.*

THE STATUTE OF IRELAND CONCERNING COPARCENERS.

Ex Rot. Claus. 20 H. III. m. 4, d.

Hybñ Consultacõis p.

H. đi gr̃a Rex Angł, &c. Dilco & fi suo [M. fit G'old'] Justič suo Hibñ Saluť. (2) Milites de ptibz vr̃is Hibñ nup ad nos accedentes nob̃ ostenderūt qđ cum hereditas devoluta sit [ad[3]] sorores in Regno nr̃o Hybñ, Justič nr̃i in eisdem partibz itinantes incti sint utrū post nate sorores tenle debeant de p'mogenita sorore, & ei facle homagiū [de porcõnibz suis, vł de capitali Dño & ei facle homagiū:'] Et quia predci milites a nob̃ petierūt inde ctificari quatr in Regno nr̃o Angł in casu gsimili hactenus usitatū sit; ad instantiam eorđem vob̃ significam[9] qđ in Regno nr̃o Angł [semp talis fuit lex[5]] & cōsuetudo in hoc casu; qđ si quis tenłet de nob̃ in capite & ħret filias heredes, ipo prle defūcto, añcessores nr̃i (6) & nos semp habuimus (7) homagia de omnibz filiabz, & single eaz tenēt de nob̃ in hoc casu in capite; & si infra etatem fūit nos habem[9] custodiam eaz & maritagiū (8). Si auť de alio [q°cūq,[9]] tenuerit qđ de nob̃ & ipe sorores infa etatem fūint, Dñs illaz habebit custodiam & maritagiū singlaz & p'mogenita tm̃ faciet homagiū Dño [p omibz sororibz;[10]] & alie sorores, cū ad etatē venłint, facient ꝟvitia dñis feodi p mañ p'mogenite; nec potłit p'mogenita [ea occõne prle a post natis sororibz homagiū vł custodiā, vł aliqa aliam subjectõem hac rõne;[11]] q, cū omnes sorores sint q'i unus heres de unica hereditate, Si p'mogenita posset ħre homagiū aliaz soroz & custodiā, tūc esset eađ hereditas divisa, Ita qđ p'mogenita [sororor[12]] [fiet[13]] simul & semel de una hereditate Dña & heres, heres scilt sue partis & Dña soroz suaz; quod quidē in hoc cãu fi nō potłit, cū ipa p'mogenita nichil prle possit plus q[a] [minor[14]] nisi capitale Mesuagiū [nōie[15]] aesnescie. [Et ptea, cū p'mogenita sit heres õim aliaz soroz si obierīt sine hede de se si ipa ħre posset custodiā soroz suaz vł puoz suoz,[16]] hoc esset q'i gmittle agnū lupo devorandū. Et ido vob̃ mandam[9] qđ ꝑdcas gsuetudies in hoc cãu quas habem[9] ī Regno nr̃o Angł šcđm quod ꝑdcm est in Regno nr̃o Hybñ clamari & firmiť tenłi faciatis. [T. R. apud Noting̃ xxx[a] die Aug̃.[17]]

[1] Gerardo filio Mauricii [2] Cum
[3] inter [4] an non
[5] talis est Lex [6] habuerunt
[7] & cepimus [8] singularum [9] domino
[10] pro se & omnibus sororibus suis
[11] ea ratione vel occasione a post natis sororibus, homagium vel custodiam vel aliquam aliam subjectionem exigere vel habere [12] soror
[13] esset [14] alie sorores [15] ratione
[16] Preterea si primogenita hujusmodi homagium a postnatis sororibus suis acciperet, esset quasi domina earum, & habere posset custodiam earum & filiorum suoz; &
[17] In cujus rei &c. Tesť me ipso apud Westm̃ ix. die Februarii anno regni nostri xiiij.

HENRY, by the Grace of God, King of England, [Lord of Ireland, Duke of Guyan and Normandy, Earl of Anjou,] to his trusty and well beloved [Gerard, son of Maurice[1]] Justicer of Ireland, Greeting. Whereas certain Knights of the parties of Ireland, lately coming to Us, have informed Us, that when any Land doth descend unto Sisters within our Dominion of Ireland, our Justices errant in those parties are in doubt, whether the younger Sisters ought to hold of the eldest Sister, and do Homage unto her for their Portions, or of the Chief Lord, and do Homage unto him: And Forasmuch as the said Knights have requested to be certified how it hath been used heretofore within our Realm of England in like case; At their instance We do you to wit, that, such a Law and Custom [is in England[2]] in this case; That if any, [holding[3]] of Us in chief, [happen to die, having[4]] Daughters to his Heirs, our Ancestors and We, after the death of the Father, have always had and received Homage of all such Daughters, and every of them in this case do hold of Us in chief; and if they happened to be within Age, We have [alway had[5]] the Ward and Marriage of every of them. And if [he[6]] be Tenant unto another Lord, and not to Us, the Sisters being within Age, the Lord shall have the Ward and Marriage of them all, and the eldest only shall do Homage for herself and all her Sisters; and when the other Sisters come to full Age, they shall do their service to the Lords of the Fee by the hands of the eldest Sister; yet shall not the eldest by this occasion exact of her younger Sisters, Homage, Ward, or any other Subjection, [for they be all[7]] Sisters, and in manner as one Heir to one Inheritance, if the eldest should have Homage of the other Sisters, and demand Wardship, then the Inheritance should be divided, so that the eldest Sister should take Homage of the younger, she should be as a Seignioress to them all, and should have the Ward of them and their Heirs; which would be[10]] none other, but to cast the Lamb to the Wolf to be devoured.

Certificate into Ireland of the Law of England as to Lands descending to Coparceners.

For Lands holden in Chief of the King, he hath Homage of all the Daughters:

with Ward and Marriage.

For Land holden of others, the Lord hath Ward and Marriage of all the Daughters: but the eldest only doth Homage and Service.

The eldest Daughter shall not have Homage of the others.

And therefore We command you, that you cause the aforesaid Customs that be used within our Realm of England in this case, ("), to be proclaimed throughout our Dominion of Ireland, and to be straitly kept [and observed.] [In Testimony whereof, &c. I Witness myself at Westminster, the ninth day of February, in the Fourteenth Year of our Reign.[12]]

[1] *Maurice Fitzgerald, his*
[2] *always hath been in our Realm of England*
[3] *should hold* [4] *and have*
[5] Not in Original. [6] *they*
[7] *for this cause, Since that all being*
[8] *Heir, altogether and at once of one Inheritance,* [9] *a younger*
[10] *since the eldest Sister is Heir of all the other Sisters, if they die without heirs of themselves, if she could have the Ward of her Sisters or their Children, this would be*
[11] *as is aforesaid*
[12] *Witness the King at Nottingham the thirtieth Day of August.*

* This Title and the Various Readings are from the Old Printed Copies. In *MS. Cott. Vesp. B. VII. fo* 51. is a Copy beginning 'Rex,' and dated 'xiiij. Maii anno regni nostri xxiv.' which in other respects nearly agrees with the Old Printed Copies. In Hawkins's Edition of the Statutes is a Copy printed as from some Cotton Manuscript beginning 'Rex' and ending 'Anno regni nostri quadragesimo.' In Cay's Edition of the Statutes is a Copy printed from *MS. Cott. Claud. D. II.* (*fo.* 227. *b.*) beginning 'Rex' without any Date. These two Copies nearly agree with the Text printed above from the Close Roll; as does also an Instrument in Tottell's Statutes, printed in 1556, fo. 158, 9; intituled, 'Statut' de Homagio capiendo,' and beginning 'Edwardus dei gratia,' but without any Date.

Anno 37° HENRICI, III. A.D.1253.

Sententia Excommunicationis Lata in Transgressores Cartarum.

THE SENTENCE OF CURSE

GIVEN BY THE BISHOPS, AGAINST THE BREAKERS OF THE CHARTERS.

THE Year of our Lord a thousand CC. liii, the third [Day [1]] of May, in the great Hall of the King at Westminster, In the presence and by the assent of the Lord Henry, by the grace of God King of England, and the [Lord [2]] Richard Earl of Cornwall his brother, Roger [Bigot] Earl of Norfolk and Suffolk, Marshall of England, Humfrey Earl of Hereford, Henry Earl of Oxford, John Earl [Warren,[3]] and other Estates of the Realm of England: We Boniface, by the mercy of God Archbishop of Canterbury, Primate of all England, F. of London, H. of Ely, [S. of Worcester, E. of Lincoln,[4]] W. of Norwich, P. of Hereford, W. of Salisbury, W. of Durham, R. of Excester, [M.[5]] of Carlisle, W. of Bath, [E.[6]] of Rochester, T. of Saint Davids, Bishops, apparelled in pontificals, with tapers burning, against the Breakers of the Church's Liberties, and of the Liberties or [other [7]] Customs of the Realm of England, and [namely [8]] of those which are contained in the Charter of the common Liberties of England, and Charter of the Forest, have ([9]) denounced the Sentence of Excommunication in this Form. By the Authority of Almighty God, the Father, the Son, and the Holy Ghost, and of the glorious Mother of God, and perpetual Virgin Mary, of the blessed Apostles Peter and Paul, and of all Apostles, ([10]) and of all Martyrs ([11]), of blessed Edward King of England, ([12]) and of all the Saints of Heaven; We excommunicate, accurse, and from the [Benefits [13]] of our Holy Mother the Church, We sequester, all those that hereafter willingly and maliciously deprive or spoil the Church of her right. And all those that by any craft or wyliness do violate, break, diminish, or change the Church's Liberties ([14]) and free Customs, contained in the Charters of the common Liberties and of the Forest, granted by our Lord the King, to Archbishops, Bishops, and other Prelates of England; and likewise to the Earls, Barons, Knights, and other Freeholders of the Realm; [And all that secretly, or openly by Deed, Word, or Counsel,[15]] do make Statutes, or observe them being made, and that bring in Customs, or keep them when they be brought in, against the said Liberties, or any of them, [the Writers, Law makers, Counsellors,[16]] and the Executors of them, and all those that shall presume to judge [against [17]] them. All and every which Persons before mentioned, that wittingly shall commit any thing of the Premises, let them well know that they incur the foresaid Sentence, *Ipso Facto*, *i.* upon the deed done. And those that [commit aught ignorantly,[18]] and be admonished, except they reform themselves within fifteen days after the time of the

Sentence of Excommunication against all the Breakers of the Church's Liberties, and of the Charters;

and against all Makers and Observers of Statutes in Contravention thereof.

[1] of the Ides [2] *Lords*
[3] *of Warwick* [4] *R. of Lincoln, W. of Worcester*
[5] *S.* [6] *L.* [7] free
[8] *especially* [9] *solemnly*
[10] *of the blessed Thomas, Archbishop and Martyr,* [11] *of God*
[12] *and of all Confessors and Virgins,* [13] *thresholds*
[14] or the old approved Customs of the Realm, and chiefly the Liberties,
[15] *secretly or openly, by Deed, Word, or Counsel, rashly contravening them or any of them in any Article. Also all those who*
[16] the Writers of such Statutes, the Counsellors,
[17] according to [18] *ignorantly do so*

Ex Lib. Rub. Scacc. fo. 184. [1]

ANNO Dñi M.CC.Lij, iij" Idus Maii in [magna aula Ꝛ apud Westm [2]] sub presencia & assensu Dñi H. Dei gra illustris Ꝛ Angl, & dñorum R. Com Cornub fris sui, R. Com Norff & Suff Marescall Angl, H. Com Heref, H. Com Oxon, [J. Com War,[3]] & alioꝝ optimatū regni Angl: Nos B. divina miseracõne Cant Archi, tocius Angl Primas, F. London, H. Elyens, R. Linc, W. Wygorn, W. Norwic, P. Hereford, W. Sarr, W. Dunolm, R. Exon, S. Karl, W. Bathon, L. Roffens, Thom Menevens, Epi, pontificalibꝫ induti, candel accensis, in transgressores libtatum eccliasticaꝝ, & libtatum seu libaꝝ consuetudinū regni Angl, & precipue eaꝝ que continent in carta comunis libtatum regni & Carta de Foresta, Excõicacõnis sententiam solempnit tulim[9] sub hac forma. Auctoritate Dei [pris omipotentis, & pris [4]] & filii & sps sci, & gloriose Dei genitricis sempq Virginis Marie, beatoꝝ Aplorum Pet & Pauli omiū q Aplorum, beati Thom Archiepi & Martiris, omiū q Martirum [Dei,[5]] bi Edwardi Reg Angl, omium q confessoꝝ atq Virginū, omium q scoꝝ Dei; excõicam[9], [& anetematizam[9],[6]] & a liminibꝫ sce matris Ecclie sequestram[9], omes illos qui amodo scient & maliciose Ecclias privavint vl spoliavint suo jure. Item omes illos qui ecclasticas libtates vl antiquas regni consuetudines appbatas, & pcipue libtates & libas consuetudines que in cartis comium libtatum & de foresta continent, concessis a Dño Rege Archiepis, Epis, & cetis Angl platis, Comitibꝫ, Baronibꝫ, Militibꝫ, & libe tentibꝫ, quacumq arte vl ingenio violavint, infregint, diminuint seu immutavint, clam vl pala, facto, verbo vl consilio cont illas vl eaꝝ aliquam in quocunq articulo tenie veniendo. Item omes illos qui cont illas, vl eaꝝ aliq, statuta [aliqua [7]] ediderit vl edita svavint, [& [8]] consuetudines introduxint vl servavint introductas, scriptores statutoꝝ necnon [consiliatores [9]] & executores [& [10]] qui scdm ea psumpsint judicare qui omes & singli suprius memorati hanc sententiam incursuros se novint ipo fco qui scient aliqd comisint de predcis. Qui vero ignorant nisi [cõfiiti "] infra quindenam a tempe comoniconis se

Nᵃ p Cartis ātiqⁱs de Libtatibꝫ & de Foresta.

[1] The following Various Readings are from an Exemplification or Transcript of this Sentence, still preserved in the Archives of the Cathedral of Wells; with the Labels and some Fragments of the Seals of the Archbishop and the Fourteen Bishops remaining annexed, and indorsed thus:

Excõicacio geñal, In venientes contª libtates contētas in Magna Carta libtatū Anglie & de Foresta.

[2] majori aula Regia Westmonasterii
[3] J. Comitis Warwyk [4] omipotentis pris
[5] } omitted [6] anatematizam[5]
[7] }
[8] } [9] 9siliarios
[10] }
[11] comoniti

correx̄int, & arbitrio ordinarioꝝ (11) satisfecerint de cōmissis extunc sint hac sententia involuti. Eadem eciam sentencia innodam⁹ [illos qui qui 12] pacē Reg̃ & regni ꝑsumpꝑint ꝓturbare. In cuj⁹ rei memoriam sempit̄nam nos signa nr̄a (13) duxim⁹ apponenda. (*a*)

11 plene 12 oms illos qui
13 ꝑsentibꝫ

Admonition, and make full Satisfaction for that they have done, at the will of the Ordinary, shall be from that time forth wrapped in the same Sentence. And with the same Sentence We burden all those that presume to perturb the peace of our Sovereign Lord the King, and of the Realm. To the perpetual Memory of which thing, We the aforesaid Prelates have put our Seals to these Presents.

(*a*) *Ex Rot. Pat.* 37 *H. III. m.* 12. *d.*

Nov̄int univ̄si qđ Dñs H. Rex Angł Illust⁹s, R. Com̄ Norff, & Maresc̄ Angł, H. Com̄ Hereford & Essex̄, J. Com̄ de Warrewic̄, Petr⁹ de Sabaud, ceꝯiq, Magnates Angł consenserunt ī sñiam excōis gen̄aliꝑ latam aꝑ Westm̄ ꝯcio decimo die Maii anno regni Reg̃ ꝑdc̄i xxxvij°, in h⁹c for⁸ scꝛt; qđ vinculo ꝑfate sñie ligent⁹ oms venientes con⁸ Libtates conn̄tas in cartis com̄uniū Libtatū Angł & de Foresta, & oms qui Libtates Eccl̄ie Anglicane, ꝛpibꝫ Dñi Reg̃ & ꝑdecessoꝝ suoꝝ Regum Angł optentas & usitatas, scienꝑ & malicōse violav̄int aut infring̃e ꝑsumpꝑint. Et oms illi qui pacē Dñi Reg̃ & regni ꝑt⁹bav̄int, & sil⁹ oms qui Jura & Libtates Reg̃ & regni diminuere infring̃e seu inmutare ꝑsumpꝑint. Et qđ oms venientes con⁸ ꝑmissa vł eoꝝ aliq⁸ ignoranꝑ, & legitime moniti inf⁸ quindenā p⁹t monicōem ꝑmissā dc̄am t⁸nsg̃ssionē nō emendav̄int extūc ꝑdc̄e sñie excōis subjacebūt. Ita tn̄ qđ dñs Rex t⁸nsg̃ssiōem illā p consid⁹acōem Curie sue faciat emendari. Sciendū aū qđ si i sc̄ptis sup eadē sñia a q̄bꝫcūq, confc̄is seu cōficiendis, aliud vł aliꝑ appōitum vł adjectum fuit, aut artic̄i aliqui alii in eis contenti inveniant⁹, Dñs Rex & ꝑdc̄i Magnates oms, & cōitas popli ꝓtestant⁹ publice in ꝑsencia ven̄ab ꝑr̄m B. Dī gr̄a Cant̄ Arch̄i, toci⁹ Angł Prim̄, n⁹ nō & Epoꝝ om̄ium, i eodē colloq⁹o exist̄nciū, qđ in ea nūq⁸ consenserūt n⁹ consenciūt, set de plano eis cont⁸dicūt. Preꝛea ꝑfat⁹ Dñs Rex, in placōne ꝑfate sñie, oms Libtates & cōsuetudines regni nr̄i antiq⁸s & usitatas, & dignitates & Jura corone sue, ore ꝑp⁹o sp̄alr s⁹ & regno suo salvavit & excepit. In cuj⁹ rei memoriā & in posꝛum ꝟitatis testim̄, tam Dñs Rex q⁸m ꝑdc̄i Comites ad instantiā alioꝝ magnatū & popli, ꝑsenti sc̄pto sigilla sua apposūt.

Anno 40° HENRICI, III. A.D. 1256.

Provisio de Anno Bisextili et Die.*

A PROVISION FOR THE DAY IN LEAP-YEAR.

Ex Lib. Rub. Scacc. Westm. fo. 197, *b.*

Provisio Dñi H. ꝑ fił ꝑ J. & magnatū suoꝝ fc̄a aꝑ Windeš anno r̄. sui xl°.

H. dī gr̄a Rex Angł Dñs Hybn Dux Norm̄ Aquit̄ & Com̄ And̄, Justic̄ suis de Banco, Salt̄m.

Sciatis qđ cum in regno nr̄o de anno & die, qui languidis p b̄re nr̄m [de rco '] inplacitatis ꝑfigi cōsuevit, q°m° scit̄, & a quo die anni ꝑcedntis in alium diem anni seq̄ntis debuit annus ille & dies in anno bisextili accipi & cōputari, diu exstiꝑit dubitatum: Nos, volentes uniformitatē ubiq, in regno nr̄o sup hoc obs̄vari, & pctis litigancium ꝑcaveri, ꝓvidimus, & de consilio fideliū nr̄oꝝ statuim⁹, qđ ad delendam de ceꝛo ōem sup hoc ambiguitatē, conputetur dies exc̄scens in anno bisextili in ipo anno; Ita qđ ꝑꝑ diem illum nō occasionent⁹ aliqui inplacitati, set sit & ħeatur de mense illo in quo exc̄scit; & cōtineat⁹ dies ille exc̄scens in integ⁹tate anni ꝑdc̄i; & cōputent⁹ dies ille & dies ꝓxim° ꝑcedens p unico die. Et ido vob mandam⁹ qđ hoc coram vob publicari, & de ceꝛo faciatis obs̄vari. T. me ipo aꝑd Wyndesoꝛ [ix° die Maii ā. r̄. ñ. xl^mo.²]

[THE KING '] unto his Justices of the Bench, Greeting. Know Ye, That where within our Realm [of England,] it [was '] doubted of the Year and Day that were wont to be assigned unto sick Persons being impleaded, [when ³] and from what Day of the Year going before unto another Day of the Year following, the Year and Day in a Leap-Year ought to be taken and reckoned [how long it was :⁴] We therefore, willing that a Conformity be observed in this behalf every where within our Realm, and to avoid all Danger from such as be in Plea, have provided, and by the Counsel of our faithful Subjects have ordained, That, to take away from henceforth all [Doubt and ⁴] Ambiguity that might arise hereupon, the Day increasing in the Leap-Year shall be accounted [for one year,⁵] so that because of that Day none shall be prejudiced that is impleaded, but it shall be taken and reckoned of the same Month wherein it groweth; (°) and that Day, and the Day next going before, shall be accounted for one Day. And therefore We do command you, that from henceforth you do cause this to be published afore you, and to be observed. Witness Myself [at Westminster, &c.⁷]

The Extra Day in Leap-Year and the Day preceding shall be reckoned as one Day.

1 *Lib. Scacc. X; MS. Cott; and Printed Copies* omit.

2 q⁸rto die Junii, Anno Regni nr̄i Q̄nq⁸gesimo q⁸rto. *Lib. Scacc. X.*

1 HENRY *by the Grace of God King of England, Lord of Ireland, Duke of Normandy, Guyan, and Earl of Anjou,*
2 *hath been long* 3 *by our Writ of Right: to wit, how*
4 Not in Original. 5 in the same Year
6 *and that increasing Day shall be contained in the entirety of the Year aforesaid;*
7 *at Windsor, the ninth day of May in the Fortieth year of our Reign.*

* This Title is from the Copy in *Lib. Scacc. Westm. X fo.* 22. *b,* which begins with the Word 'Rex.' The Old Printed Copies of the Statutes attribute this Article to the 21st Year of Henry III. In Hawkins's Edition of the Statutes, and in the subsequent Editions, is a Copy printed from *MS. Cott. Claud. D. II.* (*fo* 258. *b.*) beginning 'Rex,' and ending 'Teste me ipso apud Westm' anno regni Regis H. quadragesimo quarto.'

Anno 43° HENRICI, III. A.D.1259.

In Margine Rotuli.

D' p'visionibz f'ctis p' Regē & Consiliū suū.

PROVISIONS MADE BY THE KING AND HIS COUNCIL.

Ex Rot. Claus. 44 H. III. m. 17, d.

IN the Year of the Incarnation of Our Lord, One thousand two hundred and fifty-nine, and the Forty-third Year of the Reign of King Henry the Son of King John, there being assembled at Westminster in the Fifteenth of Saint Michael, our said Lord the King and his Great Men, by the common Counsel and Consent of the said King and Great Men, the underwritten Provisions were made by the same King and great Men, and were published in manner following.

ANNO ab incarnac̃one Dñi M°C°C.L°. nono, Regni aut̃ H. regis fit Reg̃ Johannis xliij°, Convenientibz apd Westm̃ in quindena sc̃i Michis ip̃o Dño Rege & Magnatibz suis, de comuni consilio & consensu dc̃oz Reg̃ & Magnatum facte sunt p̃visiones subscripte p ip̃os Regē & Magnates & puplicate in hunc modū. (*a*)

Stat. Marlb. IX. Who shall do Suits of Court.

OF Doing Suits, unto the Courts of the Great Men and others the Lords of those Courts, It is Provided and with full consent Ordained, That no Man who hath been infeoffed by Deed shall be distrained from henceforth to do suit unto the Court of his Lord, unless he be specially bounden to do suit by the Form of his Deed: Except those whose Ancestors or who themselves have used to do such Suit, before the first Voyage of the said Lord the King into Brittany; from the time whereof there have passed Twenty-nine Years and a half at the time of making this Ordinance, and in like manner no man infeoffed without Deed from the time of the Conqueſt, or by other ancient Feoffment, shall be distrained to do such Suit; unless he or his Ancestors have used to do the same, before the first Voyage of the said Lord the King into Brittany.

De Sectis faciendis ad Cur̃ Magnatū & alioz Dñoz ip̃arū Cur̃, [p̃visum est & concordit' statutū qd [1]] nullus qui p Cartam feofatus est distringatur de ceto ad sectam faciendam ad Cur̃ Dñi sui, nisi p formam Carte sue speciatr teneatur ad sectam faciendam ([2]): Hiis tñ exceptis quoz añcessores vt ip̃imet hujmõi sectam facere cõsueverūt, ante p'mam transfretac̃om dc̃i Dñi Reg̃ in Britanniam, a tempe cujꝰ trãsfretac̃onis elapsi fuerūt [xx[ti] & novem anni & dimid[3]] tempore quo hec constituc̃o facta fuit; & simitr nullus feofatus sine carta a tempore cõquestus vt alio antiquo feofam̃to distringatur ad hujmõi sectam faciendā; nisi ip̃e vt antecessores sui eam facere cõsueverūt ante p'mam transfretac̃om dc̃i Dñi Reg̃ in Brit.

Suits of Court by Parceners.

And if any Inheritance wherefrom only one Suit was due, shall descend unto many Heirs, as Parceners thereof, he that hath the elder's Share of that Inheritance shall do one Suit for himself and his Coparceners; and his Coparceners shall contribute after their Shares, to the doing of that Suit. And in like manner if many shall have been infeoffed of any Inheritance wherefrom one Suit were due, the Lord of that Fee shall have but one Suit therefrom; nor can he exact more than one Suit from the said Inheritance, as it hath been used to be done before. And if the Persons infeoffed have no Warrantor or Mean who ought to acquit them thereof, then all of them shall contribute after their Shares, to the doing of that Suit.

Et si hereditas aliq[a] de qua tantū una secta debebatur ad plures heredes pticipes ejdē ([4]) devolvat', ille qui fit einesciam hereditatis illius unicā faciat sectam p se & pticipibz suis; & ([5]) participes sui p porc̃one sua cõtribuāt ad sectam illam faciendam. Simitr etiam si ples feofati fuerit de hereditate aliqua de qua unica secta debebatur, dñis illius feodi unicam fieat inde sectam, nec possit de p̃dc̃a hereditate nisi unicam sectam exigere, sicut fieri p'us consuevit. Et si feofati illi warantū vt mediū nō fieant qui inde eos acquietare debeat, tūc oñes feofati cõtribuant p porc̃one sua ad sectam illam faciendam.

The Tenant's Remedy against the Lord, distraining for Suits not due.

And if it happen that the Lords of Courts do distrain their Tenants for such Suit, contrary to this Provision, then upon the complaint of those Tenants they shall be attached to appear in the King's Court at a short day to answer therefore; and they shall have but one Essoign if they be within the Realm; and the Cattle or other Distresses taken upon this occasion shall be delivered to the Plaintiff forthwith, and shall remain delivered until the Plea between them be ended. And if the Lords of the Courts who have made such Distresses, shall not appear at the day whereto they were attached, or shall not keep the day given to them upon the Essoin, then the Sheriff shall be commanded to cause them to come upon another day; at which day if they come not, the Sheriff shall be commanded to distrain them by all that they possess within his Bailiwick, so that he shall answer to the King for the Issues, and to have their Bodies by a certain Day to be prefixed, so that if they should not come upon that Day, the Party Plaintiff may go thence without day;

Si aut̃ contingat qd Dñi Cur̃ tenentes suos cont[a] hanc p̃visionē p hujmõi secta distringant, tūc ad querimoniam tenenciū illorū attachientur qd ad Cur̃ Regis veniant ad brevē diem inde responsuri; & unicū fieant essoñ si fuerint in regno; & icontinenti deliber̃t' conquerenti averia sive districc̃ones alie hac occasione fc̃e, & deliata remaneāt donec placitū int̃ eos terminet'. Et si Dñi Cur̃ qui districc̃ones hujmõi fec̃int, ad diem ad quem attachiati fuerit nō venint, vt diem p essoñ sibi datū nō observavint, tunc mandet' Vic̃ qd eos ad die [illū[6]] venire fac̃; ad que diem si nō venint, mandetur Vic̃ qd distringat eos p omnia que fint in ballia sua, ita qd Regi respondeat de exitibz, & qd fieat eor̃ corpora ad certū diem p̃figend, Ita qd si die illo nō venint pars cõquerens eat inde sine die;

[1] de ceto sic obsvandum est, qd scit
[2] ad Curiam dñi sui.
[3] triginta & duo anni
[4] fieditatis
[5] alii
[6] alium

(*a*) *Ex Rot. Pat. 47 H. III. m. 14. in Cedula.*

Anno Dñi M°CC° sexagesimo scdo, Regni autem Dñi H. Reg̃ fit Reg̃ Johis xlvij, de mera & liba voluntate ip̃ius Dñi Reg̃, & in plena & liba potestate ip̃ius, inveniente consilio fidelium suoz, edite sunt p ip̃m Dñm Regem ysticc̃ones subscipte, ad reformac̃oem & meliorac̃om regni sui & p ip̃m publicate ac obsvac̃oni gentr sua aut'te demandate.

The Variations and Additions in this Patent Roll, as compared with the Close Roll, from which the Text of the Provisions is given, are inserted in the Notes to the several Chapters of these Provisions. There is a difference between the Rolls in the Arrangement of some of the Clauses. The Roman Numerals in the Margin of the Translation refer to the corresponding Chapters in the Statute of Marlborough 52 Hen. III.

& averia sive alię districc̃ones delibata remaneant donec ip̃i Dn̄i sectam illam recup̃averīt p consideracom Curie Dn̄i Regis; & cessent interī districc̃ones huj⁹mõi: salvo Dn̄is Cur̄ jure suo de sectis illis pquirend in forma jur̄ cum inde loqui volu̇int. Et cū Dn̄i Cur̄ ven̄int responsuri cōquerentib3 de huj⁹mõi districc̃onib3, [si '] sup hoc cōvincant', tūc p consideracom Cur̄ (2) recupent cōquerentes versus eos dampna sua que sustinuer̄t ocasione p̃dc̃e districc̃ois. Simili autē modo si tenentes, post hanc constitucom subt[a]hant Dn̄is suis sectas quas fac̃e debent, & quas ante tempus supradc̃e transfretacōnis & hactenus facere cōsuev̄ūt, p eandē justiciam & celeritatē, quo ad dies p̃figendos & districc̃ones adjudicandas, conseq[a]ntur Dn̄i Cur̄ justiciam de sectis illis, una cū dampnis suis, quēadmod tenentes sua dampna recupant. Et hoc silt de dampnis recupandis intelligatur de [subtracc̃oibus sibi fc̃is, et non de 3] subtracc̃oib3 fc̃is predecessorib3 ip̃oz: Verumptn̄ Dn̄i Cur̄ versus ten̄ suos seisinam de sectis huj⁹mõi recupare nō poterunt p defaltam, sicut nec hactenus fieri cōsuevit. De sectis autē que ante [tempus supradc̃e transfretacōis 4] subtracte fuer̄t currat lex comunis sicut prius currere cōsuevit.

De [Turno 5] Vic̃ p̃visum est ut nec̃c̃e non ħeant ibi venire Archiep̃i, Ep̃i, Abbes, Priores, Comites, Barones, [nec 6] aliqui religiosi (7) seu mires, nisi speciatr eor̄ p̃sencia exigatur; set teneatur Turnus sicut temporib3 p̃decessoz Dn̄i Reg̃ ten̄i consuevit. Et si qui in hundred div̄sis ħeant tenementa, nō ħeant nec̃c̃e ad huj⁹mõi [turnū 8] venire, nisi in bailis ubi fuerint cōversantes: Et teneantur Turni sc̄dm formam Magne Carte Regis, & sicut temporib3 Regū Johnis & Ric̃i teneri consueverunt.

P̃visum est eciam, qd̄ nec in itinere Justic̃ nec in [Comitatib3 9] nec in Cur̄ Baronū, de cetero ab aliquib3 recipiantur fines p pulcre placitando, neq; p sic qd̄ nō occasionentur. (10)

In placito vero Dotis quod dicitur unde nichil h̄t, dentur de cetero quatuor dies p annū ad minus, & plures si cōmode fieri posset; (11).

In assis ultīe p̃sentacōis, & in placito quare impedit de eccl̃iis vacantib3, detur dies de quindena in quindenā, vt de trib3 septim̄ in tres septimanas, put locus ppinquus fu̇it vt remotus. Et in placito Q[a]re impedit si ad p[i]mū diem ad quem sūmonitus fuerit nō veniat nec essoñ mittat [Impeditor, tunc attachiet' ad diem aliū, quo die si nō ven̄it nec essoñ mittat 12] distringatur p magnam districc̃om supius dc̃am. Et si tūc nō venerit, p ejus defaltam scribatur ep̃o qd̄ reclamacō impeditoris illa vice cōquerēti nō obsistat; salvo impeditori alias jure suo cum inde loqui voluerit. (13).

[1] & [2] Dn̄i Reg̃
[3] Inserted in the Margin of the Close Roll. [4] tempus sup[a]dc̃m
[5] Turnis [6] vt [7] viri
[8] turnos [9] Com̃, Hundr̄,
[10] Et sciend qd̄ p istam ꝓstitucōem non tollunt' fines c̃ti seu p̃stacões arentate a tempe quo p[i]mo Dn̄s Rex t[a]nsfretavit in Brit̄ usq; nūc.
[11] Ita qd̄ habeant' sex dies p annum vt q[i]nq; ad min⁹.
[12] Inserted in the Margin of the Close Roll.

and the Cattle or other Distresses shall remain delivered until those Lords shall recover that Suit by Award of the Court of our Lord the King; and in the mean time such Distresses shall cease: Saving to the Lords of the Courts their Right to recover those Suits in form of Law, when they will sue therefore. And when the Lords of the Courts shall appear to answer unto the Plaintiffs for such Distresses, if they be thereupon convicted, then by the Award of the Court, the Plaintiffs shall recover against them their Damages, which they have sustained by occasion of the aforesaid Distress. And in like manner, if Tenants, after this Act, do withdraw from their Lords the Suits which they ought to do, and which before the time of the aforesaid Voyage and hitherto they have used to do, the Lords of the Courts shall obtain Justice to recover their Suits, together with their Damages, by the same process and dispatch, in respect of appointment of Days and awarding of Distresses, like as the Tenants do recover their Damages. And this matter of recovering Damages must be understood of the withdrawings done to themselves, and not of the withdrawings done to their Predecessors: Nevertheless the Lords of the Courts shall not recover Seisin of such Suits against their Tenants by Default; as that hath not been the Custom hitherto. And concerning the Suits that were withdrawn before the time of the aforesaid Voyage, let the Common Law have its course, as it hath used to have before.

The Lord's Remedy against the Tenants, withholding their due Suits.

X. Exemptions from attending the Sheriff's Turn.

CONCERNING The Sheriff's Turn, It is Provided that Archbishops, Bishops, Abbots, Priors, Earls, Barons, shall not be obliged to come thither, nor any Men of Religion, or Women, unless their Presence be specially required; but the Turn shall be holden as it was wont to be in the times of our Lord the King's Predecessors. And where any do hold Tenements in divers Hundreds, they shall not be obliged to come to such Turn except in the Bailiwicks where they shall dwell: And the Turns shall be holden according to the form of the King's Great Charter, and as they were wont to be holden in the times of King John and King Richard.

XI. No Fines for Beaupleder.

IT is also Provided that neither in the Circuit of Justicers, nor in the County and Huudred Courts, nor in the Courts Baron, shall Fines be taken of any from henceforth for Fair Pleading, nor for not being troubled on that account.

XII. Of Days in Court; in Dower;

IN the Plea of Dower that is called *Unde nihil habet*, from henceforth there shall be given Four Days in the Year at the least, and more if it may be conveniently done.

Days in Court in Darrein Presentment and Quare Impedit.

In Assises of Darrein Presentment, and in the Plea of Quare Impedit of Churches vacant, the Day shall be given from Fifteen Days to Fifteen Days, or from Three Weeks to Three Weeks, according as the Place may be far or near. And in the Plea of Quare Impedit, if the Disturber come not at the first Day for which he shall have been summoned, nor cast an Essoin, then he shall be attached unto another Day, on which Day if he come not nor cast an Essoin, he shall be distrained by the great Distress above mentioned. And if he come not then, upon his Default the Bishop shall be written to, that the Claim of the Disturber shall not obstruct the Plaintiff for that Term; saving unto the Disturber his Right at another time, when he will sue therefore.

[13] The following Clauses are inserted in this Place on the Patent Roll:

Stat. Marlb. XIII. Eadem Lex de attachiamentis faciend in om̃ib3 brevib3 ubi attachiamenta jacent, deceto q[u]ad districc̃ones firmit̄ obs̄vet', Ita tū qd̄ sc̄dm attachiamentū sit p meliores pleg̃ & postmodum ultima dist'cc̃ō. Et sciend qd cū aliquis posūit se in inquisic̃om aliq[a]m que enq̄gir vt que enq̄ge potest in h⁹i brevib3 non ħebit nisi unicū essoñ vt unicam defaltā. Ita scit qd̄ si ad diem s[i] datum p essoñ suū non ven̄it, aut sc̄dam defaltam fec̃it, tunc inquisic̃ō illa p defaltam ip̃ius capiat' & sc̄dm inquisic̃om illam ad judicium pcedat'. Si vo inquisic̃ō illa capta fu̇it in Com̃, coram coronatoribz vt Justic̃ Dn̄i Reg̃ ad c̃tum die remittenda, & ps rea non ven̄it ad diem illum, tunc ppt̄ defaltam ip̃ius assignet' ei sc̄dm disc̃c̃om Justic̃ alius dies, & mandet' vic̃ qd̄ ad diem illum faciat ip̃m venire, ad audiendum judm suum [si velit, sc̄dm inquisic̃om illā 14]; ad quem diem si non ven̄it pcedat' ad judiciū p defaltam suam. Eodem m⁰ fiat si non ven̄it ad diem datum s[i] p essoñ suū.

[14] Interlined on the Roll.

XIV. Exemptions from Juries.

CONCERNING Charters of Exemption and Privilege, that the Purchasers shall not be impanelled in Assises, Juries, or Recognitions, *It is* Provided, That if their Oath should be so necessary, that without it Justice could not be administered, as in the great Assise and Perambulations, and where they may have been named as Witnesses in Charters, or Writings of Covenants, or in Attaints or other like Cases, they shall be compelled to swear; saving unto them at another time their aforesaid Privilege and Exemption.

XVI. The Heir's Remedy after Wardship, for Lands with-held.

IF any Heir should be under age after the death of his Ancestor, and his Lord have the Wardship of his Lands, if that Lord will not render unto the said Heir his Lands when he cometh to lawful Age, without Plea, the Heir shall recover his Land as from the death of his Ancestor, together with the Damages that he shall have sustained by that withholding from the time of his coming to lawful Age;

Simple Seisin only shall be taken of an Heir of full Age.

and if an Heir at the time of his Ancestor's death be of full age, and such Heir, apparent and known to be the Heir, be found in the Inheritance, his Chief Lord shall not put him out, nor take or remove any thing therefrom, but shall take simple Seisin only for the acknowledgement of his Seigniory.

Damages to the Heir.

And if a Chief Lord do maliciously keep such an Heir out of the Possession, whereby it behoveth him to proceed by an action of Mortdancestor or Cosinage, then he shall recover his Damages, as in the action of Novel Disseisin.

XV. In what Places Distresses shall not be taken.

NO Man from henceforth shall be permitted, for any manner of cause, to make Distresses out of his Fee, nor in the King's or common Highway, except our Lord the King and his Officers.

XVII. Duty of Guardians in Socage.

IT is also Provided, That where Land that is holden in Socage is in the custody of an Heir's Kinsfolk, because the Heirs were within age, those Guardians cannot make Waste or Sale or any despoiling in that Inheritance, but shall keep it safely for the use of the Heir: So that when he shall come to age, they shall answer unto him by a lawful account for the Issues of the said Inheritance; saving unto those Guardians their reasonable expenses. Neither can the said Guardians give or sell the Marriage of the said Heir, but for the benefit of the Heir himself.

XVIII. Amercements for Defaults restrained.

NO Escheator, or Commissioner, or Justice, especially assigned to take any Assizes, or to hear and determine any complaints, shall from henceforth have authority to amerce for Default of the common summons, except the Chief Justice or Justices in Eyre in their Circuits.

Purchases of Religious Houses restrained.

IT shall not be lawful for Men of Religion to enter into any Man's Fee, without the licence of the Chief Lord of whom the Fee is immediately holden.

XX. In County Courts, &c. Essoin need not be sworn.

CONCERNING Essoins it is Provided, That in the County or Hundred Courts, or Courts Baron, or elsewhere, no Man shall be obliged to swear for the warranting of his Essoin.

XIX. Pleas of false Judgment confined to the King's Courts.

NONE but the King from henceforth shall hold Plea in his Court of a false Judgement given in the Court of his Tenants; because such Pleas do especially belong to the King's Crown and Dignity.

XXI. Sheriffs shall, upon Plaint, make Replevins.

IT is Provided also, That if any man's Cattle be taken and unjustly detained, the Sheriff after Complaint thereof made unto him, may deliver them, without let or gainsaying of him who took the said Cattle, if they were taken without Liberties; and if such Cattle should be taken within Liberties, and the Bailiffs of the Liberties will not deliver them, then the Sheriff, for the default of the said Bailiffs, shall cause them to be delivered.

[[1] De Cartis p̄ᵒ exempc̄onis & lib̄tatis ne ponant' impetrantes in ass̄ juratis vł recognic̄oib3, p̄visum est, ut si adeo necessariū sit eoꝝ Juramentū qđ sine eo Justicia exhib̄i non possit, veluti in magna assisa [& [2]] pambulac̄oib3 & ubi in cartis vł [script'is [3]] cōvencionū fuerint testes nōiati, aut ī attinctis vł casib3 aliis cōsimilib3, jurare cogant'; salva sibi alias lib̄tate & exempc̄one sua p̄dca.[4]]

Si heres aliquis post mortē sui antecessoris infra etatē extit̄it, & dn̄s suus Custodiam t̄raꝝ suarū h̄uerit, si dn̄s ille dc̄o heredi cū ad legittimam etatē p̄venerit terram suam sine placito reddere noluerit, heres ille terram suam ut de morte sui antecessoris recupabit, una cum dampnis (5) que sustinuerit [p [6]] illam detenc̄om a tempe quo legittime fuit etatis; qđ si heres (7) in morte sui antecessoris plene fuit etatis, & heres ille apparens & p̄ herede cognit9 inventus [sit [8]] in hereditate illa, Capitał dn̄s ejus eū nō eiciat, nec aliquid ibi capiat vł amoveat, s3 tantū simplicē seisinam (9) faciat p̄ recognic̄one dominii sui.

[Et si capitał dn̄s h̄edem huj9mōi ext[a] seis[a]m malic̄ose teneat, p̄ quod p̄ acc̄om mortis añcesoris vł g̃saguinitatis oporteat ip̄m placitare, tūc dampna sua recupet sicut ī acc̄oe nove disseisine.[10]]

[Nulli decetero liceat ex q[a]cumq; causa districc̄ones facere ext[a] feodum suū, neq; in regia aut c̄oi. strata, nisi Dn̄o Regi & ministris suis.[11]]

P̄visum est eciam, qđ si terra que tenet' in [socagiū [12]] sit in custodia parentū heredis, eo qđ [heredes infra etatē fuerint,[13]] custodes illi vastum facere nō possunt neq; vendic̄onem nec aliq[a]m destrucc̄om de hereditate illa, set salvo eam custodiant ad opus dc̄i heredis: Ita qđ cum ad etatem p̄venit sibi respondeant p̄ legittimam computac̄om de exitib3 dc̄e hereditatis; salvis ip̄is custodib3 racionabilib3 misis suis. Nec eciam possunt dc̄i custodes maritagiū dc̄i heredis dare vł vendere nisi ad comodum ip̄ius heredis.

Nullus Escaetor, aut Inquisitor, vł Justic̄ ad ass̄ aliquas capiendas speciał assignatus vł ad querelas aliquas audiendas & t̄minandas de cetero potestatem h̄eant (14) añciandi p̄ defalta comunis sūmonic̄ois, nisi capitał Justic̄ vł Justiciaꝝ itinerantes in itineribꝫ suis.

[Viris autem religiosis nō liceat ingredi feodū alicujus sine licencia capitał dn̄i, de quo sit res ip̄a immediate tenet'.[15]]

De Essoniis autē p̄visum est qđ in Comitatib3 hundredis aut cuꝝ Baronū, vł alibi, nullus h̄eat necesse jurare p̄ essonio suo warantizando.

[Nullus decet̄o excepto Rege placitū teneat ī Cuꝝ sua de f̄to judic̄o. f̄co in cuꝝ teñciū suoꝝ; q3 huj9mōi placita ad coronā sp̄aꝝ p̄tinent & dignitatē (16) Regis.[17]]

P̄visum est eciam qđ si averia alicujus capiant' & injuste detineant', Vic̄ post queremoniam inde sibi factam, ea sine impedimento vł contradicc̄one ejus qui dc̄a averia [cepit [18]] delib̄are possit, si ext[a] lib̄tates capta fuerit; & si infra lib̄tates huj9mōi capiant' averia, & balli lib̄tatū ea deliberare noluerint, tūc Vic̄, [p defc̄m [19]] dc̄oꝝ ballioꝝ, ea fac̄ delib̄ari.

[1]—[4] On the Patent Roll this is the concluding Clause of the Provisions.
[2] in
[3] sc̄iptis
[4] suis
[5] p̄p̄
[6] aliquis
[7] fuit
[8] inde
[9] Inserted in the Margin of the Close Roll.
[10] On the Patent Roll this Sentence precedes that beginning "Si Heres aliquis post mortem" line 9. of this page.
[11] Socagio
[12] heres infra etatem extit̄it
[13] aliquem
[14] *Rot. Pat.* omits this Clause.
[15] dn̄i
[16] A Reference is made on the Close Roll for inserting this Clause in this place; which agrees with the Order of the Clauses on the Patent Roll.
[17] cepit
[18] p̄ defc̄u

[1 Nullus decet̄o distringere possit lib̄e tenentes suos ad respondendū de lib̄o tenemento suo, neq; de aliquib3 ad lib̄m tenem̄itum suum spectantib3, sine b̄ri (2) Reg̃; nec jurare fac̄ lib̄e tenentes [suos 3] cont[a] volūtatem suā; desicut nullus hoc facere potest sine p̄cepto (4) Reg̃.5]

P̄visum est eciam, q̄d si ball̄i qui compotū d̄nis suis reddere tenēt[r] se subtraxerint, & terras v̄ tenem̄ita nō habuerint p̄ que distringi possint, tunc p̄ eoꝝ corpora attachient[r]; Ita q̄d Vic̄ in quorū ballivis invenient[r] eos venire fac̄ ad compotū suū reddendum.

I̊t Firmarii tempore suarū firmarū vastū v̄ vendic̄ōnem v̄ exiliū nō faciant de boscis, domib3, h̄ōib3, nec de aliis aliquib3 ad tenem̄ita, que ad firmā h̄uerint, spectantib3; nisi specialem h̄eant concessionem p̄ scripturam sue cōvencionis menc̄ōm h̄ntis q̄d hoc facere possint. Et si fecerint, & de hoc convincantur, dampna plene refundant.

Justiciar̄ itinerantes decet̄o nō amerciant villatas in itinere suo, p̄ eo q̄d singuli xij. annorū nō ven̄int corā Vic̄ & Coronatorib3 ad inquisic̄ōnes de mortē hōinis aut aliis ad coronā [p̄tinentib3; 6] dum tamē de villis illis veniant sufficienter p̄ quos inquisic̄ōnes huj9mōi plene fieri possint.

Murdrū decet̄o non adjudicetur coram Justic̄ ubi infortuniū tantūmodo adjudicatū est: set locum h̄eat murdr̄ in interfc̄is p̄ feloniam, & nō aliter.

P̄visum est insup̄ q̄d nullus, qui coram Justic̄ itinerantib3 vocatur ad warantū de placito t̄re v̄ tenen̄iti, amerciet[r] decet̄o p̄ eo q̄d p̄sens nō fuerit, (7) excepto p̄mo die adventus ip̄oꝝ Justic̄: Set si warant9 ille sit infra Com̄, tunc injungatur Vic̄ q̄d ip̄m infra diem terciū v̄ quartū s̄cdm locorū distanciam fac̄ venire sicut in itin̄e justiciar̄ fieri consuevit: Et si ext[a] Com̄ maneat, tunc racionabile h̄eat sūmonic̄ōm xv. dierū ad minus s̄cdm discrec̄ōnem Justiciar̄ & legem comunē.

Si clericus aliquis p̄ c'mine aliquo v̄ retto, quod ad coronam p̄tineat, arestatus fuerit, & postmodū de p̄cepto (8) Reg̃ in ball̄iū traditus v̄ replegiatus extiterit ita q̄d hii quib3 [traditur 9] in balliū eum h̄eant coram Justic̄ non amercient[r] decetero illi quib3 traditus fuit in balliū, [v̄ 10] alii plegii sui, si corpus suū h̄eant coram Justic̄, licet corā eis ppt̄ p̄vilegium clericale respondere nolit v̄ nō possit. (11) (12)

NO Man from henceforth shall distrain his free Tenants to answer for their Freehold, nor for any matters pertaining to their Freehold, without the King's Writ; nor shall cause his free Tenants to swear against their will: For none can do this without a precept of the King. XXII. Compelling Freeholders to answer, &c.

IT is Provided also, That if Bailiffs who are bounden to render account unto their Lords shall withdraw themselves, and have no Lands or Tenements whereby they may be distrained, then they shall be attached by their Bodies; so that the Sheriffs in whose Bailiwicks they shall be found, shall cause them to come to the rendering of their Account. XXIII. Remedy against Accountants.

Also Farmers during their Farms, shall not make Waste, or Sale, or Exile, in Woods, Houses, Men, or in any thing else belonging to the Tenements which they have to farm; unless they have a special grant in the writing of their Covenant, making mention that they may do so. And if they do, and be convicted thereof, they shall restore Damages in full. Farmers shall do no Waste. Damages.

THE Justices in Eyre from henceforth shall not amerce the Township in their Circuit, because all that are twelve years old do not appear before the Sheriffs and Coroners upon Inquests for the Death of Man, or other things pertaining to the Crown; so that from those Townships there come enough for the making of such Inquests fully. XXIV. Attendance of those of 12 Years old on Inquests.

THE Fine of Murder from henceforth shall not be adjudged before the Justices, where it hath been adjudged to be Misfortune only: But the Fine of Murder shall hold place upon those slain feloniously, and not otherwise. XXV. Fine of Murder.

IT is moreover Provided, That no Man who is vouched to Warranty before the Justices in Eyre, in a Plea of Land or Tenement, shall from henceforth be amerced because he was not present, save on the first day of the coming of the Justices: But if the Vouchee be within the County, then the Sheriff shall be enjoined to cause him to come within the third or fourth day, according to the distance of the places, as it was wont to be in the Circuit of the Justices: And if he dwell without the County, then he shall have a reasonable Summons of Fifteen Days at the least, according to the Discretion of the Justices and the Common Law. XXVI. Of the Warrantor's Appearance in Eyre.

IF any Clerk should be arrested for any Crime or Charge that toucheth the Crown, and afterwards by the King's Precept, be let to Bail, or be replevied, so that those to whom he is let to Bail should have him before the Justices, from henceforth they to whom he hath been let to Bail, or his other Pledges shall not be amerced, if they have his Body before the Justices, although he will not or cannot make answer before them by reason of the Privilege of Clergy. XXVII. Of a Clerk's Bail on his refusing to answer.

1—5 On the Patent Roll this Clause follows the Clause with which the Close Roll concludes.

2 d̄ni 3 *Rot. Pat.* omits. 4 d̄ni
6 spectantib3 7 q[a]ndo vocat[r] ad warantum,
8 d̄ni 9 tadit9 fuit 10 nec

11 Here follows on the Patent Roll the Clause beginning "Nullus de cetero distringere possit" (See note 1—5. in this page.)—Then are inserted two Clauses: viz.

Stat. Marlb. XXVIII. P̄visum est eciam q̄d si dep̄dac̄ōes v̄ rapine alique fiant ab̄bib3 aut aliis p̄latis ecc[a]sticis & ip̄i Jus suum de h9i dep̄dac̄ōnib3 p̄sequentes morte p̄veniant[r] ante q[a]m inde justiciam fūnt assecuti, successores eoꝝ acc̄om h̄eant ad bona Eccle sue de manib3 h9i t[a]nsgressoꝝ repetenda. Similem insup̄ acc̄oem habeant successores de hiis que domui & eccle sue recen̄ ante obitum p̄decessoꝝ suoꝝ p̄ h9i violenciam fūnt subt[a]cta, licet p̄dc̄i p̄decessores Jus suū p̄secuti non fūnt in vita sua. §. Si autem in t̄ras & ten̄ h9i religiosoꝝ de quib3 eoꝝ p̄lati ob̄ūnt seis̄, ut de jure eccle sue, aliqui se intrudant tempe vacac̄ōis, eoꝝ successores b̄re h̄eant de recup̄anda seisina sua & adjudicent[r] eis dampna sicut in nova dis̄ adjudicari consuev̄unt.

Stat. Marlb. XXIX. P̄visum est eciam q̄d alienac̄ōes ille, de quib3 b̄re de ingressu dari 9suevit, p̄ tot gradus fiant q̄d b̄re ill̄d in forma prius usitata h̄eri non possit, h̄eat b̄re 9querens ad recipiend̄ seis̄ suam sine mensiōe g[a]duum ad cuj9cumq; manus p̄ h9i alienac̄ōes res illa devenit, p̄ originalia p̄ consiliū reg̃ inde p̄videnda.

Then follows the Clause beginning "De Cartis vero exemp̄c̄onis" (See page 10, note 1—4.): After which the Patent Roll concludes thus:—Et mand̄ est Norff & Suff q̄d p̄visiones p̄dc̄as puplicari & firmi p̄ fac̄. T. p̄. apud Westm̄. xij die Junii.—Eodem modo mand̄ est singulis Vic̄ p̄ Angl̄.

Itē f̄ce f̄ūnt l̄re patentes & dirigebant[r] Archiep̄is, &c. & om̄ib3 aliis de com̄ Norff & Suff. In cuj9 &c. T. ut s[a].

Consimiles l̄re pat̄ dirigebant[r] p̄ singulos Com̄ Angl̄. In cuj9, &c.

Itē Eodem modo mand̄ est Justic̄ de Banco, & Justic̄ Itiñ apud Linc̄.

12 In *MS. Cott. Claud. D. II. fo.* 125, *b*, these Provisions are entered in the form of a Charter, entitled 'Carta R. H. facta cōitati regni Anglie,' and dated 'apud Wygorniam xiij° die Decembr̄ anno regni nr̄i quadragesimo nono & anno d̄ni Miſſio CCIxiiij^to.'—This Charter concludes with a Precept for the Proclamation and observance of the Provisions, very similar to that annexed, in some Manuscripts, to the Statute of Marlborough. (See post. pa. 25.)

Annis 51° & 52° HENRICI, III. A.D. 1266 & 1267.

Dictum de Kenilworth.*

THE AWARD

Made between the King and his Commons at KENILWORTH.

Ex MS. Cott. Claud. D. II. fo 119, b.†

(1)N NOMINE Sancte & individue Trinitatis Amen. Ad honorem & gloriam Omnipotentis Dei Patris & Filii & Spiritus sancti, & gloriose & precelse Dei Genitricis Virginis Marie, & omniū beatoꝝ quoꝝ in terris meritis & intercessionibꝫ gubernamur; [2 sacrosante Catholice atq; Apostolice Romane ecclie, que est omnium fidelium mater & magistra; sanctissimi ꝑatris & dñi nr̄i Clementis ip̄ius univ̄salis Ecclie Sūmi Pontificis:3]

Ad honorem & bonum prosp̄um & pacificum statū x̄pianissimi Principis dñi Henr̄ Regis Anglie illustris & tocius Regni & Ecclie Anglicane: Nos v° [W. Oxoniensis:4] W. Bathon & Wellenš N. Wygorn̄, & [R.5] Menievenš Ep̄i, Gilbertus de Clare Comes Glouc̄ & Hertford, & Humfridus de B. Com̄ Herford, P. Basset, Joh̄s de Baillol, Robertus [Walraund,6] Alanus de la Suche, Rogerus de Someri & Warin9 de Bassingbourne, providend super statum terre nominatim super facto exheredatoꝝ, habentes a dño Rege predicto, & ab aliis Baronibꝫ, Consiliariis Regni & procerib3 Anglie plenariam potestatem, sc̄dm formam conscriptam in tris puplicis sigillis predictoꝝ Regis & alioꝝ munitis: (7)

Ea quidm gracia divina favente providimus que sc̄dm juris & equitatis (8) Dei beneplacito & paci regni putavimus convenire: nullius in hac parte acceptantes personam, sꝫ habentes pre oculis solum Deum ante, Omnia igitur tanquam in conspectu Dei omnipotentis facientes & ex ordine caput membris aptissime premittentes:

Dicimus & providimus qd̄ Serenissimus Princeps dñs Henricus Rex Angl illustris dñium suum, auctoritatem & Regiam potestatem habeat, plenarie optineat, & libere excerceat; sine cujuscumq; inpedimento vel contradiccione, per quam contra jura approbat & leges ac Regni consuetudines diu optentas, dignitas regia offendat: atq; ab univ̄sis & singulis, majoribꝫ & minoribꝫ, ip̄ius regni hominibus, ip̄i dño Regi & mandatis ac preceptis suis licitis plene obediatur & humilit intendat. Et omnes & singuli, per brevia ad curiam Dñi Reg̃, justiciam petant & in justicia respondeant, sicut ante tempus hujus Turbacionis hactenus fieri consuevit.

1 A Blank for the Letter I.

2–4 *MS. 2 Cott. Cl*; *Printed Copies* omit.

4 Interlined in a modern hand-writing. Wills Exon, *MS. 2 Cott. Cl.*—W. Exon̄, *Lib. Horn*: *MSS. Rawl. 277*: *Cott. XXV*: *Harl.* 1033.

5 T. *Old Printed Copies*. 6 Waylop *MS. 2 Cott. Cl.*

7 After these words the Printed Copies proceed with the words "Volumus secundum equitatis tramitem incedere," &c. nearly as in Chapter XII. omitting all that is inserted in the Text in the smaller letter: *MS. 2 Cott. Cl*; *MS. Rawl. 277*; *Lib. Nig. Æd. Chr. Dubl*; *MS. Harl.* 1033; and many other Manuscripts, agree with the Printed Copies.

8 *A Blank*; [*and so in Lib. Horn*;] normam *in the Margin, in a modern hand-writing*.—semitas *MS. Cott. XXV.*

I. The King shall fully exercise his Royal Power.

In The Name of the Holy and Undivided Trinity; Amen.

To the Honour and Glory of Almighty God, the Father, the Son, and the Holy Ghost, of the glorious and most excellent Mother of God and Virgin Mary, and of *All* Saints, by whose merits and [means 1] we are governed in Earth; (2)

To the Honour and good, prosperous, and peaceable Estate of the most Christian Prince, Lord Henry, the noble King of England, and of all the [English Church:3] We, William Bishop of [Oxon,4] W. of Bath and Wells, [H. Worcester and Meneven,5] Bishops; Gilbert de Clare, Earl of Gloucester (6), Humfrey (7) Earl of Hereford, Philip Basset, John [Bayloffe,8] Robert [Walop,9] Alein de la Such, Roger de Somery, and Warryn de Basyngburne, appointed to provide for the good estate of the Land, and namely [for certain 10] Persons disherited, having thereunto full power of our said Lord the King, and the other Barons [and Counsellors, according to the Form written and confirmed in the Letters general and special of the said King, and the other aforenamed; 11]

Under Favour of the same Divine Grace, We do ordain those things which in justice and equity we have thought to accord with the Will of God, and the Peace of the Kingdom; bearing no respect of persons herein, but having before our eyes God only before all Things: Therefore, acting as in the sight of Almighty God, and in order rightly preferring the Head to the Members:

WE do Award and Provide, that the most serene Prince the Lord Henry, illustrious King of England, shall fully possess, obtain, and freely exercise his Dominion, Authority, and Power Royal; without the let or gainsaying of any, whereby the Royal Dignity may be hurt, contrary to the approved Rights and Laws and Customs of the Realm long established: And that full Obedience and Submission be tendered by all and singular Persons of the same Realm, both great and small, to the said Lord the King, and to his lawful Mandates and Precepts. And All and every one shall sue for Justice by Writs to the Court of our Lord the King, and answer in justice, as they were wont to do, before the time of these Troubles.

1 *Intercessions*

2 *of the most Holy Catholic and Apostolic Roman Church, which is the Mother and Mistress of all the Faithful; of our most sacred Father and Lord Clement, sovereign Pontiff of this Universal Church:*

3 *Realm and Church of England* 4 *Exeter*

5 *N. of Worcester and T. of St. David's*

6 *and Hertford* 7 *de Bohun*

8 *de Baillol* 9 *Walraund*

10 *upon the matter of*

11 *Counsellors of the Realm and Nobles of England, according to a Form written in public Letters, confirmed by the Seals of the aforesaid King and the rest:*

* Kelenworthe, in the Copy from which the Text is printed. Kelyngworthe, *Lib. Horn, fo. 16.* Kenilworth, *MS. Cott. Claud. D. II. fo. 250. b.* and in very many other Manuscripts, and all the Printed Copies: and so in the Date at the end of the Text.

† This is a very ancient Copy. The Copy in *fo. 250 b.* of the same Volume is in a more modern Hand-writing, and the Instrument there appears to be the result of the Explanation or Act of Umpirage, made on the original Award. The Quotations from this modern Copy, wherewith the Printed Copies nearly agree, are marked *MS. 2 Cott. Cl.* The Copies in *Liber Horn*, and *MS. Cott. Appendix, XXV*, agree with the Text throughout; except where the Variations are noted.

Rogamus eciam ipm dñm Regem & ipius pietati cum reverencia suademus, Ut tales, ad justiciam faciendam & reddendam, proponat, [que [1]] non sua s3 ea que Dei & Justicie sunt querentes subjectoꝝ negocia scdm leges & consuetudines Regni laudabiles, recte componant, & ex hoc roboratum justicia reddant solium Regie Majestatis.

Rogamus pariter & suademus eidem dño Regi ut libertates ecclíasticas, cartas libertatum & foreste, quas servare & custodire tenetur expresse & pprio juramento, plene custodiat & observet.

Provideat eciam dñs Rex qd concessiones quas fecit hactenus, spontaneus ([2]) non coactus, [observetur [3]]; & alia nccia, que per suos ex ejus beneplacito sunt excogitata stabiliat durat'a. Et eciam Anglicana Eccl'ia suis libertatib3 & consuetudinib3, quas huit & habere debuit ante tempus hujusmodi turbacionis, plene restituatur & eis uti ([4]) permittatur.

Dicimus & providemus ut prefatus dñs Rex univsis & singulis [que [5]] ab inicio presentis turbacionis Regni & occasione ipius, usq ad hoc tempus, in ipm vel in coronam regiam cōmiserunt injuriam quamlibet vel offensam, & qui ad pacem ipius venerunt, infra xl. dies post puplicacionem hujusmodi nre provisionis, omnino remittat & parcat: Ita qd nullo modo nullaq causa vel occasione, ppter hujusmodi preteritas injurias vt offensas, in eosdem offensores nullam exercet ulcionem; aut ipis penam vite, membri, carceris, vel exilii, aut pecunie inferat, vel vindictam; exceptis hiis qui in presenti nra provisione inferius [continetur.[6]]

Dicimus eciam & providemus ut omnia loca, jura, res, & alia ad Coronam Regiam ptinencia, ipi Corone & dño Regi restituantur, per eos qui ea detinent occupata, nisi [ostendat se illa per racionabilem warantiam [7]] ab ipo dño Rege, vt a suis antecessoribz, possidere.

Dicimus eciam & providemus qd univsa scripta obligaciones & instrumenta, que prefatus dñs Rex, vel dñs Edwardus ejus primogenitus, vel alii fideles fecerint, seu exposuerint hactenus, ([8]) provisionum Oxoñ vel occasione turbacionis in regno habite. ad instanciam quondā S. de Monteforti Com Leyc & suoꝝ conplicium, penitus adnichilentur & cassent', & pro cassis & pro nullis penitus habeantur [Facta eciam [9]] dci Simonis, & conplicium suoꝝ, prejudicialia [& judicialia [10]] & dampnosa, & contractus super rebus inmobilib3, ab eis [factis dum eet [11]] in suo potentatu, adnichilent' & p null habeant'.

Rogantes humiliter tam dñm Legatum q'm dñm Regem, ut ipe dñs Legatus sub districcione ecclíastica prossus inhibeat, Ne ([12]) S. Com Leyc a quocumq pro sco vel justo ([13]) reputet', cum in excōmunicacione sit defunctus, sicut Sancta tenet Eccl'ia. Et mirabilia de eo vana & fatua, ab aliq'bus relata, nullis un:q'm labiis proferant'. Et dñs Rex hec eadem [sub pena corporali velit districte inhibere.[14]]

Supplicamus reverend & humilid vendbili pri nro Dño [E.[15]] Sci Adriani Diacono Cardinali & Aplice Sedis legato, [ut cum tam dño Regi expedire cognovit q'm aliis hominib3, majorib3 & minorib3,[16]] de Regno, qui cartas juratas minime observarunt, ad quas observandas omnes, p excōmunicacionis sententiam jam latam [inde non observantes,[17]] tenebant', beneficium absolucionis [inpendant.[18]]

Rogamus eciam & suademus qd nullus, cujuscumq condicionis existat, blada aut victualia quelibet, vt alia quecumq bona, sub nomine mutui vel provisione future solucionis, capiat sine licencia eoꝝ quoꝝ res seu bona sunt; salvis regni consuetudinib3 approbatis.

[[19] De Londoniis laudamus, & prefatum dñn Regem hortam' & rogamus ut ipe provideat p consilium suum de statu reformando Civitatis, quo ad terras, redditus, [dñium [20]] & libertates; et hujusmodi provisio cito fiat.[21]]

[1] qui *MS. Cott. XXV.* [2] et *MS. Cott. XXV.*
[3] observent' *Lib. Horn. MS. Cott. XXV.*
[4] libere [5] qui [6] continent' } *MS. Cott. XXV.*
[7] ostendat se p rōnabile sacrm
[8] occone [9] et
[10] *MS. Cott. XXV.* omits.
[11] fce dum essent [12] qondā } *MS. Cott. XXV.*
[13] aliq'ten[9]
[14] sb dist'ccone temporali velit dist'ctissle phibere
[15] O. *Lib. Horn*; *MS. Cott. XXV.*
[16] ut tam dño Regi, si sibi ipi expedire contigerit, q' omibus aliis tā majoribus q' minoribus *MS. Cott. XXV.*
[17] et nō observatā [18] inpendat } *MS. Cott. XXV.*
[20] domos
[19]—[21] In the Printed Copies this Sentence occurs in a different Place.

WE do likewise beseech our Lord the King, and with reverence advise his piety That for the doing and rendering of justice, he will prefer those Persons, who, seeking not their own ends, but those of God and Justice, will justly quiet the disputes of his People, according to the laudable Laws and Customs of the Realm, and thereby render the Throne of his Royal Majesty strengthened by Justice.

II. The King's Officers.

IN like manner We do beseech and advise our said Lord the King, that he will fully keep and observe the Liberties of the Church, and the Charters of Liberties and of the Forest, which he is bound expressly, and by his own Oath, to preserve and keep.

III. Liberties of the Church, and the Charters.

LIKEWISE Our said Lord the King shall provide for the observance of the Grants that he hath hitherto made of his free will, and not by Duress; and shall firmly establish other things, which have been thought necessary by his Council under his good Pleasure. And likewise the Church of England shall be fully restored to her Liberties and Customs which she had and ought to have before the time of these Troubles; and shall be freely permitted to use the same.

IV. Grants of the King. Liberties of the Church.

WE Award and Provide, That our aforesaid Lord the King shall altogether remit and pardon all and singular persons, who from the beginning of the present Troubles of the Realm, and by occasion thereof unto this day, have committed any Wrong or Offence against him or his Royal Crown, and who shall come in to his Peace within Forty Days after the publication of this our Ordinance: So that he shall not in any manner, for any cause or pretence, by reason of such wrongs or offences past, take Vengeance of those Offenders; or punish them with Death, or Loss of Limb, or Imprisonment, or Banishment, or Fine, or Revenge; except those hereafter contained in this our present Ordinance.

V. The King's Pardon to Offenders.

WE Award likewise and provide that all Places, Rights, Possessions, and other things to the Royal Crown belonging, shall be restored to the Crown and to our Lord the King by those who withhold and occupy them, unless they shall shew that they hold them by a reasonable Warrant from our Lord the King himself, or his Ancestors.

VI. Rights and Possessions of the Crown.

WE Award likewise and provide, that all Writings, Bonds, and Instruments, which the aforesaid Lord the King, or the Lord Edward his eldest Son, or other Liege Men may have made or published hitherto, by occasion of the Provisions of Oxford, or by occasion of the Troubles of the Realm, at the Instance of the late Simon de Montfort Earl of Leicester and his Accomplices, shall be absolutely annulled and quashed, and be altogether holden for nought and quashed. Moreover the Acts of the said Simon and of his Accomplices, whether judicial or others, and the wrongs thereof, and all Contracts of things immoveable, by them made, while they held their Authority shall be annulled and holden for nought.

VII. Annulling of Acts done at the Instance of the Earl of Leicester.

HUMBLY beseeching as well the Lord Legate as the Lord the King, that he the Lord Legate will utterly prohibit, under the Penalties of the Church, any Man from holding Simon Earl of Leicester for a Saint or Just One, for that he died under Excommunication, according to the Doctrine of Holy Church. And that the vain and foolish Miracles related of him by certain Persons, shall not pass any Man's Lips. And that our Lord the King will strictly enjoin the same prohibition, under Pain of temporal Punishment.

VIII. The Earl of Leicester shall not be reputed a Saint.

WE reverently and humbly supplicate our venerable Father the Lord Ottobon Deacon Cardinal of St. Adrian, and Legate of the Apostolic See, that if he shall deem it expedient as well for our Lord the King as for all other of the Realm, both great and small, who have not observed their sworn Charters, to the observance whereof they were all obliged by the Sentence of Excommunication pronounced, and not observed, that they may receive the Benefit of Absolution.

IX. Absolution by the Legate.

WE likewise beseech and advise that no Man of what Condition soever he be, shall take Corn or any manner of Victual, or other Goods whatever, under the pretence of borrowing, or the Promise of After-payment, without Leave of those to whom the Goods or Things belong: Saving the approved Customs of the Realm.

X. Corn, &c. shall not be taken without the Owner's leave.

TOUCHING London [We commend it,'] and exhort ([1]) the King, that he by his Council will provide a Reformation for the State of the City, as concerning their Lands, Rents, Houses and Liberties, and that the same Provision may be made immediately.

XI. The State of London.

[1] *We do award,* [2] *and beseech our said Lord*

XII. Ransoms of certain Parties in the War.

(1) Willing to proceed according to (2) the path of Equity by the Assent of the Reverend Father Othobone, Deacon Cardinal of Saint Adrian, and Legate of the Apostolic See, and the Noble Man H. of Almaine, having like Power and Authority, We have thought it good to be provided in this wise, that there shall be made no Disherison, but Redemption, that is, to wit:

First, concerning them that began the war, and yet continue;

Item, they that forcibly and maliciously withheld Northampton against the King; (3)

Item, they that were taken at Kenilworth, which came from the sacking of Winchester, or that otherwhere were against the King, whom he hath not pardoned;

Item, they that warred at Evesham against the King;

Item, they that were at Chesterfield against the King in battle;

Item, they that freely, wilfully, and uncompelled, sent any aid against the King or his Son;

Item, the Bailiffs and Officers of the Earl of Leicester, which robbed their Neighbours, and procured Manslaughters, House burnings, and other Evils to be done, shall pay as much as their Lands be worth by the space of Five Years; And that they paying their Ransoms, shall have their Lands again, so that if their Lands should be sold, none shall [have 4] them, but he that holdeth the same of the Gift of the King, in case he will give so much as a common Purchaser, [and with those terms; that if the Party so redeeming his Land, do satisfy for his whole Land from the beginning, he 5] shall forthwith have his whole Land: And likewise he that satisfieth for the Half or the Third Part, shall forthwith have the Half, or the Third Part.

But if at the last Term appointed, the Party redeeming do not satisfy, the Half of the Lands remaining shall remain to them, to whom they were given by the King's Gift; also the Party redeeming shall be at liberty within that term to sell all or part of his Land, (6) and in like manner to let it to farm.

XIII. Sale of Woods for Ransom.

AND if any have Woods, and will sell them towards their Ransom, he that holdeth the Land by the King's Gift, shall have a competent Servant, that shall receive the Money; and the Party disherited, which selleth the Wood, must have one in whom he trusteth; and these two Receivers, in the presence of the whole Shire, shall pay the Money received for the Wood, to them to whom Redemption ought to be given. The Payment of this Redemption must be done by Three Years.

XIV. Earl Ferrars.

CONCERNING the Earl de Ferris, We award that he be punished by as much as the Value of his Lands shall amount unto in Seven Years:

Ransom of Knights and

Knights and Esquires, which were Robbers, and among the principal Robbers, in Wars and Rodes, if

[1] *Upon the Matter of the Disinherited and their Case, among other things which We have ordained and established;*

[2] *God and*

[3] *Item, they who assailed and warred against the King at Lewes;*

[4] *buy*

[5] *and at the same Terms for Payment: So likewise if it be to be let in farm, no man shall stand before him that holdeth it of the King's gift, if he will give as much for it as another would to take it to farm, and he will have it at the same Terms for Payment: In like manner he that yieldeth satisfaction for his whole Land*

[6] *according to the method of sale above described,*

Super statu & negocio exheredatoꝝ, [inter cetera que ordinavimus & statuimus, volentes sc̃dm deum & equitatis tramitem incedere, ita duximus providendū, de assensu venabil̃ pr̃is O. Sc̃i Adriani diaconi Cardinalis & Apostolice Sedis Legati & nobilis H. de Alemanū, similiter habencium potestatem, qd̃ non fiat exheredacio sꝫ redempcio videlt: qd̃ incipientes guerram & pseverantes usq; nunc;[1]]

Item violent & maliciose detinentes Norh'mpton contra Regem;

Itm expugnantes & debellantes Regem ap̃d Lewes;

Itm capti apud Kenilworth, qui venerunt de predacione Wyntoñ, vt alibi fuerint cont[a] Regem, quibus Rex non remisit;

Item bellantes apud Vesh'm (2);

Itm qui fuerunt apud Cestrefeud (3) in bello;

Itm qui gratis & voluntarie (4) miserunt servicia sua contra Regem vt filium ejus;

Itm Ballivi &. Ministri Com̃ Leyc̃ [&5] vicinos depredati sunt, & homicidia, incendia, & mala alia procurarunt, solvent quantum valet terra eoꝝ per quinq; annos; & si isti solvant redempcionem [rehabebant 5] terras suas; Ita qd̃, si terra vendi debeat, nullus eam [emat 6] nisi ille qui eam tenet ex dono Dñi Regis, si tm̃ velit dare q[a]m quilibet cōmunit emens, & eisdem terminis [7 similit, si ad firmam debeat dari, nullus sit ꝓpinquior [ea q[a]m ille q[i] 8] eam tenet ex dono Dñi Regis, si tantum velit dare q[a]m quilibet alius pro eo ad firmā velit dare, & eiisdem terminis habeat: 9] similiter satisfaciens pro tota terra habeat totam, pro medietate medietatē habeat, et ꝓ tercia parte statim terciam partem habeat.

Quod si, ultimo termino statuto, redimens non satisfecerit, medietas terre remanentis remaneat illis quibus terre collate sūt per [Dñm Regem;[10]] (11) liberum auf̃ sit redimenti infra illum terminum vendere totum vt partem terre sc̃dm formam vendicionis supius annotatam, & similit ad firmā t[a]dere. Et si aliqui habeant nemora, & velint vendere ad redempcionem suam, ille qui tenet [eam 12] ex dono Dñi Regis habeat [fidelē suū,13] qui [recipat 14] inde pecuniam; et exheredatus ille, qui vendit silvam, habeat unum de quo confidat; & isti duo recipientes solvant in conspectu [illoꝝ 15] denarios, quos recipiunt de nemore, illis quibus debet dari redempcio. (16).

[Itm Com̃ de Ferrar̃ puniatur quantum valet terra sua per vij. annos 17] [& Milites autē 18] & armigeri qui fuerunt predones, & cum p'ncipalib; predonib; in

[1] quidam nr̃m ꝓvident dicunt et ordinant qd̃ exhedacio debet fieri et alii qd̃ nō fiat exheredacio set redēpcio quidam dicunt qd̃ si debeat fieri exhedacio, qd̃ detur exheredatis vita sine mutilatione membroꝝ et exilio et cū escaetis que eis possint continḡ per successionē hereditariā et ꝑcia pars terre eoꝝ; & alii qd̃ medietas detur exhedatis: quidam dicūt ꝓvident et diffiniunt qd̃ redempcio debeat fieri; et incipientes guerrā & pseverantes; *MS. Cott. XXV. See the Explanation, or Act of Umpirage, at the End of the Award, page* 18.

[2] contra Regem *MS. 2 Cott. Cl.*

[3] & non coacti } *MS. Cott. XXV: MS. 2. Cott. Cl.*
[4] qui }

[5] reheant *MS. 2. Cott. Cl.* [6] ħeat *MS. 2 Cott. Cl.*

[7–9] *MS. 2 Cott. Cl: and Printed Copies* omit.

[8] eo qui *MS. Cott. XXV.* [10] donū dñi Reḡ *MS. 2 Cott. Cl.*

[11] alii dicūt qd̃ due partes remaneant eis; *MS. Cott. XXV. See the Act of Umpirage.*

[12] ꝑam *MS. 2. Cott. Cl: MS. Cott. XXV.*

[13] { svientem competentē *MS. 2. Cott. Cl.*
servientem *MS. Rawl.*
fidejussorem competentem *Lib. Nig. Dub.*

[14] recipiat *MS. 2. Cott. Cl: MS. Cott. XXV.*

[15] Comitat[s] *MS. Rawl:* Com̃ *MS. 2 Cott. Cl: MS. Cott. XXV.*

[16] Solucio istius redempcionis fiat ꝑ tres annos *MS. 2 Cott. Cl: MS. Rawl: MS. Cott. XXV: the latter adds* "ut quid̃ dicūt alii inf[a] duos annos q[a]mvis illi de Kenilł ĩndeant inf[a] octo dies post puplicac̃ōm dc̃i si velint istam pacem servare, alii dicūt inf[a] tres dies, alĩ sint ex[a] for[a]m pacis, si velint sint in forma quinq; & sex." *See the Act of Umpirage.*

[17] De Com̃ Ferariens, si ad hoc extendi possit dc̃m nr̃m, quidam dicūt qd̃ puniat[r] in octo annis, alii dicūt in septē annis, q[a]ntū valet ꝑa ejus. *MS. Cott. XXV.—See Act of Umpirage.*

[18] Milites *MS. 2 Cott. Cl: MS. Cott. XXV: MS. Harl.* 1033. *See the Act of Umpirage.*

bellis & depredacionibꝫ, si non habeant terras, & habeant bona, solvāt pro redempcione sua medietatē bonoꝝ suoꝝ, & inveniant fidejussionem competentꝫ qđ pacē Regis & Regni amodo conservabunt. Qui ꝟo nichil habuerint [jurant[1]] ad sancta Dei Evangelia, & inveniant fidejussionem conpetentē qđ [pacis[2]] Regis & Regni amodo servabunt, & subeant satisfaccionem conpetentē & penitenciam sc̄dm judicium eccl̄ie, exceptis bannitis quibus [scilt[3]] Rex potest remitt̄e.

[Ceꝛoꝝ[4]] Dñi ħedum infra etatem & in custodia existencium solvant pro eis; & cum venerint heredes ad legitimam etatem solvāt redempcionem dñis eiisdem terminis ꝑ tꝛs vł ꝑ duos annos, quibꝫ alii solverunt; ita qđ dñi terre habeant custodias heredum cum maritagiis, usq; ad legitimam etatem ħedū. Si auꝛ dñi terre nolunt solvere redempcionem illis quibus terre date sunt per Dñm Regem, iidem habeant [Custodes[5]] ħedum, cū maritagiis sine dispagacione, usq; ad legitimam etatem ħedum, & tunc heredes solvant prout alii solverunt eis eiisdem terminis.

Custodie auꝛ que debent[6] Dño Regi maneant illis quibus concesse sunt ꝑ Dñm Regem, & cum ꝓvenꝛint ad legitimam etatem solvant redempcionem eiisdem terminis quibus alii [& nullam faciant destruccionē[6]] ab hiis qui habent custodias; sin auꝛ, fiat justicia contra illos sc̄dm qđ cōtinet[7] in Magna Carta.

Omnes de Castro sint in cōmuni via & forma pacis exceptis Henrico de Hastinges, & mutilatoribꝫ nuncii Dñi Regis, qui [sunt de vij annis[7]] puniant[7], vł in ñiia Dñi Regis se ponant.

Si quis [auꝛ ad[8]] bellum de Lewes [fuerit[9]] cū Dño Rege & post bellum sit exheredatus, [qui[10]] [noluit[11]] venire ad filium Regis & ejus adjutorium, dicat Rex voluntatem suam de eo ꝑ fidele dictum suum.

Nemora ab eis qui tenent nunc, non vendātur nec destruantur aliquo modo, nisi post terminum ultimum non observatum; nčč̄ia tamē ad custodiam vel restauracionem domoꝝ habeant illi quibus terre [locate[12]] sunt per Regem, sin autem graviter puniantur.

Si aliquis sit de quo timetur qđ velit guerram facere seu procurare, provideant se dñi Legatus & Rex securitatem quam viderint expedire, mittendo extra regnum ad tempus vł aliter sicut expedire viderint; Ita tamen qđ si contingat illum impediri a solucione sue redempcionis ꝑꝓ hoc non exheredet'.

Si aliquis [non[13]] ista provisione subeat judiciū in curia Dñi Regis infra festum sc̄i Hillarii; extª regnum [ꝟo[14]] [existens habeat[15]] inducias transmarinas sc̄dm legem et consuetudiem terre: Ita tamen qđ [teneat[15]] se in pace, alit̄ non [sit[15]] in forma pacis.

Quia Rex tenetur multis qui eum juverūt & ei fidelit̄ [assuerunt[16]] quibus de terris non providit, & quidam plus habent q'm habere debent, provideat Dñs Rex de redempcione capienda qđ habundant̄ eos respiciat, ne sit maꝛia nove guerre.

Provideant eciam se Dñi [Legatus Rex[17]] & Henricus de Alemañ, [qđ eligant xij.[18]] qui ista diligent̄

[1] veniant et jurent *MS. Cott. XXV.*
[2] pacem *Lib. Horn.* [3] solus *MS. 2 Cott. Cl: MS. Cott. XXV.*
[4] Ceꝛū *MS. Cott. XXV: MS. Harl.* 1033.
[5] custođ *MS. Cott XXV.*
[6] Et nulla fiat destructio *MS. Harl.* 1033: *MS. Rawl.*
[7] septem annis *MS. Harl.* 1033. / in octo vł septem annis *MS. Cott. XXV.*
[8] ante *MS. Cott. XXV: MS. 2. Cott. Cl: MS. Harl.* 1033.
[9] steꝛit *MS. 2 Cott. Cl.* [10] quia *MS. 2. Cott. Cl.*
[11] voluerit *MS. Cott. XXV.*—noluerit *MS. 2 Cott. Cl.*
[12] collate *MS. Cott. XXV;* *MS. 2. Cott. Cl.*
[13] non sit content̄ *MS. 2. Cott. Cl: MS. Cott. XXV.*
[14] jure *MS. Harl.* 1033: *Printed Copies.*
[15] existentes ħeant—teneant—sint *MS. 2 Cott. Cl.*
[16] affuerunt *Lib. Horn: MS. 2. Cott. Cl.*
[17] Rex & Legatus *MS. Cott. XXV.*
[18] qđ eligant' xij *MS. 2 Cott. Cl: MS. Harl.* 1033. / qđ Rex eligat' alii qđ xij *MS. Cott. XXV.* } *See the Act of Umpirage.*

they have no Lands, but have Goods, shall pay for their Ransom [the half[1]] of their Goods, and shall find sufficient Sureties to keep the Peace of the King and of the Realm from thenceforth. They that have nothing, shall come and swear by the Holy Gospels of God, finding sufficient Surety, that from thenceforth they shall keep the Peace (2) and suffer Satisfaction and Penance after the judgement of the Church, except persons banished, to whom the King only may remit. Esquires, who plundered.

XV. Ransom of Heirs within Age.

THE Lords of Heirs within Age, (3) shall pay Ransom for them; and the Heirs when they shall come to full Age, shall pay Ransom to the Lords at the same Terms, whereat other paid [by Three or Two Years;[4]] so that the Lords of such Lands shall have the Ward of the Heirs with Marriages [without Disparagement, until their lawful Age, and[5]] the Heirs shall pay Ransom, as other have paid, and at the same Terms.

XVI. The King's Wardships.

THE Custodies which are due to the King, shall remain to them to whom they were given by the King, and when the Heirs shall come to lawful Age, they shall ransom at the same Terms as other did, and no Waste must be done by them that have the Custody; and if there be, Justice shall be done against them, according as is contained in Magna Carta.

XVII. Exceptions from the Peace.

ALL those of the Castle shall be in the common (6) form of Peace, except Henry de Hastings, and those that maimed the King's Messenger, which shall be [imprisoned[7]] Seven Years, or else put themselves in the King's Mercy.

XVIII. Reserve to the King's Discretion.

IF any before the Battle of Lewes stood on the King's Part, and after the Battle be disherited, because he would not come to the King's Son, to his Succour, let the King say his Pleasure touching such [upon his fidelity.[8]]

XIX. Waste in Woods.

WOODS may not be sold nor wasted by them that hold them now in any wise, but if it be for not keeping the last Term of Payment; notwithstanding they to whom the Lands were given by the King, shall have Necessaries for the keeping or reparation of the Houses, and otherwise doing they shall be grievously punished.

XX. Banishment of certain from the Realm.

IF there be any, of whom it is supposed, that he will make or procure War, the Lord Legate and the King shall provide such Surety as shall seem expedient, by sending them out of the Realm for a Time, or otherwise as they shall think convenient; so nevertheless, if it fortune such a one to be let from his Payment of Ransom, he shall not be disherited therefore.

XXI. Refusing to abide by this Award.

IF there be any not content with this Ordinance, let him abide the Judgement of the King's Court within the feast of Saint Hillary; such as be out of the Realm upon lawful cause, shall have their Safe Conduct according to the Law and Custom of the Realm for being beyond the Sea: So that they keep themselves in Peace, for else they shall not be in the form of this Peace.

XXII. Disposal of Ransom and Rewards.

BECAUSE the King is bounden to many that holpe him, and faithfully stood by him, for whom he hath provided no Lands, and some have more than they should have, let the King provide, that he largely reward them, of the Ransoms that are to be taken, lest it turn to a matter of new war.

XXIII. Securing the Execution of this Award.

LET the Lord Legate, the King, and Henry of Almaine provide, that there be chosen Twelve, which

[1] *the third part,* [*See the Act of Umpirage.*]
[2] *of the King and the Realm* [3] *and being in Ward,*
[4] *by two Years;* [*See the Act of Umpirage.*]
[5] *until the lawful Age of the Heirs: And if the Lords of the Fee will not pay the Ransom unto those to whom the Lands are given by our Lord the King, these shall have the Wardships of the Heirs and their Marriages without Disparagement, until the lawful age of the Heirs; and then*
[6] *way and* [7] *punished* [8] *by his own just Sentence.*

diligently and faithfully may execute these things, and that the King and his Heirs may cause them firmly to be kept and maintained.

Let them also enquire and fulfil those things, that [shall be ordained of the foresaid Twelve,[1]] according to (1) reasonable and true Estimations, and after as the said Twelve shall think good to be done.

XXIV. Farmers who were against the King.

FERMORS that were against the King, shall leese their terms, saving the Right of their Lords, to whom [they pay their yearly Rent; and they that shall have the Farms after the Terms expired, shall render them[3]] to the true Lords.

XXV. Castles.

CONCERNING Castles builded by the King's Charters, and by his Consent, and yet disherited without his Consent, We award, that after the Ransom paid, within the space of Three Years, the Lord of the Land shall pay within Six Years the Costs which were laid upon them afore [this general Proclamation[4]] by Consent of the King, or by reasonable Exchange of Land.

XXVI. Earl of Leicester's Accomplices.

LAY Men that openly procured the business of the Earl [of Leicester,] (5) his Accomplices, drawing men by Lies and false Tales, and stirring them to the part of the Earl and his Adherents, and withdrawing them from the part of the King and his Son, shall be punished by as much as the Two Years Value of their Land doth amount.

XXVII. Persons compelled by Force or Fear.

SUCH as were compelled, or driven by Fear unto the Battle, and neither fought, nor did hurt; Likewise impotent Persons, which either by Force or Fear sent their Servants against the King and his Son; and those which being constrained or led by Fear, were Robbers, and did Robberies with the principal Robbers, and when hey saw opportunity withdrew, and returned to their Houses, (6).

XXVIII. Purchasers of others Goods.

THOSE also that wittingly bought others Goods shall restore the Value of the Goods, which they [robbed or[7]] bought in such manner, and shall be amerced to the King, for that they did against Justice, and because the King did forbid the same, half a year now passed.

XXIX. Persons taking Sanctuary at Northampton. Tenants of the Earl of Leicester.

THEY that by the Commandment of the Earl of Leicester, entered into Northampton, and neither fought nor did harm, but fled to the Church when they espied the King coming, and that being found by lawful persons; Likewise they that held not of the said Earl and came at his Commandment; shall pay the half year's Value of their Land:

But they that held of the Earl's Fee, shall only be amerced to the King.

XXX. Impotent and innocent Persons.

IMPOTENT Men and other, which did no Harm, shall be restored to their Lands without delay, and recover their Damages in the King's Court; Let false Accusers be punished against the King in such wise as he believe them not lightly thereafter; and such Punishment must be done of them as belongeth to them that wrongfully have caused the King's Lieges to be disherited and undone, without peril of Life, Maiming, and Disherison; they that were accused by Malice shall forthwith have again their Lands, and recover their Damages in the King's Court, as is contained in the Article next afore.

[1] *are ordained by Us*

[2] *the Estimates already made, or otherwise they shall make*

[3] *they that hold the Farms shall pay their yearly Rent; and at the end of the Term they shall revert*

[4] *the Publication of this Award,* [5] *and of*

[6] *now being in peace shall pay the Ransom of One Year's Value of their Land.*

[7] Not in Original.

& fidelit̃ exequant', et illa faciat [dñs dñs Rex[1]] & heredes sui firmiter observari & manuteneri.

Isti inquirant & conpleant [qui a supradcis xij. electis[2]] sunt ordinata, sc̃dm [formam ordinacionum[3]] que jam fact̃ sunt, sin aut̃ faciant estimaciones racionabiles & verraces, sc̃dm qd̃ [xij providebūt executor̃.[4]]

Firmarii qui fuerunt contra dñm Regem careant firmis suis, salvis juribꝫ dñorꝫ, quibus reddant censum annuum, detinentes firmas, & elapso termino [revtat'[5]] ad veros dños.

[[6] De Castris edificacii qui per cartas Dñi Regis & p consensum ejus sicut consensu exheredati, dicim9 qd̃ dñs terre solvat custū q̃ ponebat' ante publicacionem dicti p consensum Regis vel racionabile escambiū tre laice. Manifeste[6]] procurantes negocia dñi Com̃ & conplicium suorꝫ, attrahendo homines per mendacia p falsitates [insidiando ptem[10]] Com̃ & conplicium suorꝫ, & detrahendo [partem Domini Regis[11]] & filii sui, puniant' [quantū valet terra eorꝫ[12]] per duos annos.

Coacti vel metu ducti qui venerunt ad bellum qui non expugnavunt nec malum fecerunt; Impotentes qui vi vt metu miserūt servicia sua contra Regem vt filium suū; Coacti vt metu ducti qui fuerunt predones & cum principalibꝫ predonibꝫ depredaciones fecerunt, & qū comode potant a predacionibꝫ cessaverunt & ad domos suas redierunt existentes in pace [redimant' quantū valet terra eorꝫ per unū annū.[13]]

Emptores scient rerum alienarꝫ valorem bonorꝫ que emerunt restituant, & sint in ñia Dñi Regis, qui contra justiciam fecerūt, qꝫ illud inhibuit Dñs Rex jam dimidio anno elapso.

Illi qui ad mandatū Com̃ Leyc̃ ingr̃ssi sūt Norh'mptoñ nec pugnaverunt nec malum fecerunt, [si[14]] ad ecc̃iam fugerunt qñ Regem venientem viderunt, & hoc sit attinctum p bonos; Illi qui (15) tenebant de Com̃ Leyc̃ & venert ad mandatū ejus solvent q'm valent terre eorꝫ [per dimidiū annū:[16]]

Isti qui ex feodo Com̃ tenebant [solum sit[17]] in ñia Dñi Regis.

Impotentes & [illi[18]] qui malum non fecerunt statim rehabeant terras suas, & recuperent dampna sua in Curia Dñi Regis; & puniant' accusatores (19) qd̃ amodo Rex non credat eis de facili & talis pena fiat eis, qualis debet fieri illis qui injuste [fecerunt. Fideles Reg̃ exheredati[20]] sine tamen periculo (21) mutilacionis & exheredacionis; maliciose accusati statim rehabeant terras suas & recuperant dampna sua in curia p̃ ut supra (22).

[1] dñs Rex *Lib. Horn.* [2] q̃ a nobis *MS. Cott. XXV.*

[3] estimationes *MS. Cott. XXV.*

[4] Dñs Rex vt xij executores pvidebunt. *MS. Cott. XXV.*

[5] revertantur *MS. Cott. XXV: MS.* 2. *Cott. Cl.*

[6] De castris edificatis p Cartas Dñi Regis & consensum ejus, & sine consensu [& cum[7]] exhedati, [dicim9[8]] qd̃ post redempc̃oem solutam tmino trium annorꝫ solvat dñs tre infra sex annos custū qui imponebat' ante publicac̃oem [p consensum dicti Reg̃[9]] vel rationabile escambium tre. Laici manifeste *MS.* 2 *Cott. Cl.*

[7] tñ *MS. Cott XXV: MS. Rawl.* tamen *Printed Copies.*

[8] quidā dicūt qd̃ solvi debent dāpna et sumptus, et alii dicūt qd̃ nichil; q' dicūt qd̃ dāpna & sūpt9 solvi debent, *MS. Cott. XXV. See the Act of Umpirage.*

[9] dc̃is p consēsū Reg̃ *MS. Cott. XXV: MS. Rawl.*

[10] { instigand parti *MS.* 2 *Cott. Cl.*
{ justificando ad partē *MS. Cott. XXV.*

[11] parti Regis *MS.* 2 *Cott. Cl.*

[12] quidā dicūt q'ntū valeāt tre eorꝫ p tres annos, quidā dicūt quantū valeāt *MS. Cott. XXV. See Act of Umpirage.*

[13] moderate redimant' isti; tres q'd dicūt quantū valent tre eorꝫ et bona inf'a duos annos, alii dicūt q'nt̃ valeāt tre eorꝫ & bona inf'a unū annū. *MS. Cott. XXV. See Act of Umpirage.*

[14] sed *MS.* 2. *Cott. Cl: MS. Rawl.*

[15] non *MS. Cott. XXV: MS. Rawl: Printed Copies.—MS.* 2 *Cott. Cl.* omits this Sentence.

[16] p unū annū, alii dicūt q'ntu valeant p dimidiū annū. *MS. Cott. XXV. See Act of Umpirage.*

[17] sint solū *MS. Cott. XXV.* [18] om̃es alii *MS. Cott. XXV.*

[19] penes dñm Regem *MS. Cott. XXV: MS.* 2 *Cott. Cl.*

[20] fideles dñi Reg̃ fecerūt exheredari et destrui, *MS. Cott. XXV.* [21] vite et *MS. Cott. XXV.* [22] pxio *MS. Cott. XXV.*

Mulieres autem habeant hereditates suas & dotes de primis dñis de terris autē maritoꝝ (1) habeant sc̄dm qd̄ Rex statuit & redimantur. Redempcio eoꝝ qui fuerunt contra Dominū Regem stet, set in illis qui in nullo fuerunt contra Regem [nec [2]] stet redempcio; sꝫ statim rehabeant terras suas et recupent dampna sua ut supᵃ. D' maliciose accusatis dictum est & [recipientes [3]] puniantʳ ut supra. Submissio facta [est dño Regi vl alioꝝ dñoꝝ per vos vl per [4]] concordiam vl pacem factam stet in robore suo. De Simone de Monte Forti Coīn & filiis Coīn nichil dicimus, quia Dñs Rex Anglie fc̄m eoꝝ posuit in manus Regis Francie.

Omnes recepti in pace per illos qui habuerunt potestatem, remaneant in statu in quo recepti sunt.

Omnes qui redempti sunt non teneantʳ respondere de dampnis & transgr̄ssionibꝫ per eos factis super illos [qui [5]] impugnaverunt tempore turbacionis predce; sꝫ dampna & trnsgr̄ssiones ex utraq; parte remittantʳ: salva tamen accione [cuiq; de dicta turbacione non intromittet, set salvo ei [6]] quod ad Eccliam ptinet.

Et quia ꝑiculosum videtʳ qd̄ castra c̄cnt ī potestate eoꝝ qui male egerunt conᵃ Regē, Dicimus & providimus de Castris de [Erdeaꝛ Bithᵐ & Cortesleye [7]] qd̄ pro ip̄is detur racionabile excambiū. Omnes de ceto teneant firmam pacem, & Nullus faciat homicidia, incendia, roberias, nec aliquas transgr̄ssiones contᵃ pacem; & qui fecerit & convictus fuerit habeat judiciū [& legem sc̄dm [8]] consuetudinem regni (9). Item omnes quoꝝ interest jurent super Sancta Ewangelia qd̄ nullus capiet vindictam, nec procurabit, nec consenciet, nec fieri sustinebit, qd̄ vindicta capiatur, occasione turbacionis. Et si aliqꝫs vindictam capiat puniatur per curiam dñi Regis: et satisfaciant eccl̄ie hii qui eam leserunt.

[10Si quis ecīa non velit dc̄m istud tenere, vl judm Cur̄ dñi Reg̃ p pares subire, et sic exheredati qui se dicunt tales, nullum jus ħeant ad recupand ꝛras. Et si aliqꝫs qui tenet ꝛras exħedatoꝝ rebellet dco, nichil juris p donū dñi R vendicare possit in terra vl redēpcione.10]

Insuper quicumq; isti dicto non consenserit sit puplicus inimicus Dñi Regis & filioꝝ suoꝝ & cōmunitatis (11) populus & clerus, [qm canonica jura [12]] permittant, prosequantur eum tanquam inimicū pacis Eccl̄ie & Regni.

Inprisonati seu incarcerati, prestita sufficienti & racionabili securitate, liberentʳ per obsidem, vel per aliam securitatem competentē & racionabilē, sc̄dm provisionem dictoꝝ Legati & Regis.

[13Nullus ꝑterea occ̄one ꝑterite turbacionis possit aliqē exheredare, qui sibi aliquo jure succedere debeat.13]

Datū & puplicatum in [castroᵘ [14]] apud Kenilworthe [sc̄do [15]] Kalend Novembr̄ [anno gr̄e Mº CCº lxvjº Regni ꝑo dñi Henr̄ Regis Anglie anno l. primo.16]] (17)

[1] qui fuerunt contª Regem, *MS. 2 Cott. Cl.*
[2] non *Lib. Horn.*
[3] accusantes *MS. Rawl.*—accusanť *MS. 2 Cott. Cl.*
[4] dicto dñi Regis vl alioꝝ dñoꝝ, vel res per *MS. Rawl.*
[5] quos *MS. Rawl: MS. 2 Cott. Cl.* [6] cuicunq; se nō inmittenti de dca turbac̄one, et salvo *MS. Cott. XXV: MS. Rawl.*
[7] Hardeleye, Byham & Cherteseye *MS. 2 Cott. Cl.* / Herdley, Byam, & Cherteseye *MS. Rawl.* / Erdesleye, Byhᵐ et Chesterleye *MS Cott. XXV.* / Herdesleye, Byhᵐ & Certeleye *MS. Harl.* 1033.
[8] sc̄dm legē et *MS. Cott. XXV.* [9] nr̄i *MS. Cott. XXV.*
[10, 13] These Sentences are inserted from *MS. Cott XXV.* The oldest Copy in *MS. Cott. Claud. D. II.* and that in *Lib. Horn.* omit them.
[11] Et *MS. 2 Cott. Cl.*
[12] quantū canones et jura *MS. Cott. XXV.*
[14] Castro *Lib. Horn: MS. 2 Cott. Cl.* / Castris *MS. Cott. XXV.*—castr̄ *MS. Rawl.*
[15] pridie *MS. Rawl. Printed Copies:* xij die *MS. 2 Cott. Cl.*
[16] anno dñi M CClxvijº regni auº dñi Reg̃ H. Lijº. *MS. Rawl.* / anno dñi MCClxvj regni vero domini H. regis Angl illustris anno quinquagesimo primo. *Printed Copies: MS. Cott XXV: MS. Harl.* 1033. / anno regni Regis Angl. lijº. *MS. 2 Cott. Cl.*
[17] See Notes in the succeeding page.

WOMEN shall have their Heritages and Dowers of the first Lords; touching (1) their Husbands, which were against the King, they shall have as the King hath ordained, and be ransomed. XXXI. Heritages and Dowers of Women.

THE Ransom of them that were against the King shall stand in force, but of those which in nothing were against the King, no Ransom shall stand; but forthwith (1) shall have their Lands again, and recover Damages as afore. [&c.] XXXII. Ransoms.

TOUCHING Persons maliciously accused, it hath been already spoken, and that the Accusers should be punished as afore is said; [by submitting themselves [2]] to the Award of the King and of other Lords, [or else the thing [3]] by concord or peace made, shall stand in his force. XXXIII. Malicious Accusations. Voluntary Submissions.

TOUCHING Simon de Mountford [Earl of Leicester,[4]] his Countess and Children, We say nothing; for the King hath put their matter into the hands of the King of France. XXXIV. Earl of Leicester and Family.

ALL Persons received to the Peace by those that had commission thereunto shall remain in such estate as when they were received. All that be ransomed, shall not be bounden to answer for the Harms and Trespasses done by them (6) in the time of the Commotion aforesaid; but Hurts and Trespasses shall be forgiven of either Party: Saving nevertheless [the Exaction to every Man that he shall not intermeddle of the said Commotion,[7]] saving that that pertaineth to the Church. XXXV. General Amnesty on Ransom.

BECAUSE it seemed dangerous that Castles should be in the Power of them which offended against the King, We award and ordain touching the Castles of Herdley, Byham, and Chertsey, that a reasonable Exchange shall be given for them. XXXVI. Certain Castles to be exchanged.

LET all Men from henceforth keep the Peace firmly, and let none commit (8) Burning of Houses, Robberies, nor other Outrages against the Peace; and who so doeth, and be convict thereof shall have Judgement according to the Law (9) of the Land. XXXVII. The Peace to be kept.

MOREOVER All that have to do in this Behalf shall swear upon the Holy Gospels of God, that none shall take Revengement, nor procure to be taken, nor consent or suffer that any Revengement be taken by occasion of the Commotion aforesaid. And if any take Revengement, he shall be punished [after the custom of [10]] the King's Court: Let the Church be satisfied by them that have hurt her in any point. XXXVIII. No future Revenge.

IF there be any that will not observe this Award, nor abide the Judgement of [the King [11]] by his Peers, [all that be such shall be of the Number of the disherited, and [12]] shall have no Law to recover their Lands. And if any holding the Lands of any Person disherited, be found rebel to this Award, he shall not be admitted to challenge any Right in the Land or Ransom given him by the King.

Moreover whoso will not agree to this Award, let him be had as Enemy of the King, and his Sons, and of all the Communalty. And People and Clergy, as far forth as the Laws and [Commons [13]] do permit, shall pursue him as Enemy of the Peace of the Church and of the Realm. XXXIX. Contemners of this Award.

SUCH as be imprisoned and in Ward, finding sufficient and reasonable Surety, shall be delivered by Pledges, or by other Assurance competent and reasonable, according to the Provision of the Lord Legate and the King. XL. Sureties for Parties imprisoned.

MOREOVER no Man by occasion of the foresaid Commotion may hereafter disherit any Person that by any Law ought to succeed him. XLI. Inheritances.

GIVEN and proclaimed in the Castle of Kenilworth the Day before the Kalends of November, in the Year of our Lord MCClxvj. the li. Year of the reign of the Lord Henry, the noble King of England [of that name the Third.[14]]

[1] *the Lands of* [2] *they*
[3] *Any Submission made* [4] *or any thing*
[5] Not in Original. [6] *upon those whom they attacked*
[7] *a Right of Action to every Man not intermeddling in the said Commotion, and* [8] *Homicides*
[9] *and Custom* [10] *by* [11] *The King's Court*
[12] *and so the disinherited, confessing themselves such, these*
[13] *Canons* [14] Not in Original.

In MS. Cott. Claud. D. II. fo. 121, *the following Act of Umpirage immediately follows the Date of the Award. The like appears in MS. Cott. XXV. fo.* 19, *intituled* Explanacio dicti de Kenillworthe; *and in Liber Horn. London, fo.* 2c. *The Roman Numerals here printed in the Margin refer to the several Chapters of the Award.*

NOS aut̄ prefati O. Legatus & H. de Alemanñ, in capitulis de quibus predicti xij. fuerunt discordes, Volentes sc̄dm deum & equitatis tramitem incedere ita duximus providendū.

XII. In primo namq; capitulo, in quo dicunt quidam de exheredacione facienda, & alii ꝙ qđ non fiat exheredacio set redempcio, illt consentimus & concordamus qui dicunt non exheredacionem s3 redēpcionem c̄e prius faciendam; propter quod [patens [1]] sequens capitulum [Quidam [2]] incipit si exheredacio fieri debeat super vacuum remanere.

In hoc ꝙ capitulo quod sic incipit, Quidam dicunt provident & diffiniunt qđ redempcio debeat fieri & solvant quantum terre illoꝝ valent, &c. Dicto illoꝝ concordamus qui de v. annis tm̄ provident in hoc cāu. Ubi aut̄ [capta [3]] idem capitulū dicunt quidam qđ si ultimo termino statuto redimens non satisfecit, medietas ꝓre remanentis remaneat illis quibus terre collatesunt per Regem, Alii dicunt qđ due partes illis remaneant, Illoꝝ dicto concedim[9] qui de medietate dicunt.

XIII. In hoc capitulo qđ incipit solucio illius redempcionis, &c. concordamus eoꝝ provisioni qui dicunt qđ debeat fieri solucio per tres annos, &c.

In hoc capitulo qđ incipit illi de Kenilworth, &c. dicto illoꝝ consentimus qui dicunt qđ infra octo dies debeant respondere postq[a]m eis fuit nunciatum.

XIV. In hoc capitulo de Com̄ de Ferrar̄ concordamus eoꝝ dicto qui dicunt qđ de [octo [4]] annis.

In hoc capitulo qđ incipit milites & armigi, &c. consentimus eoꝝ dicto qui dicunt qđ de tercia parte tantum.

XV. In hoc capitulo qđ incipit [ceteri [5]] dñi heredum ubi dicit[r] per tres vel duos annos concordam[9] in eo qđ dicitur de duob3 annis.

[1] patet [2] qđ
[3] circa [4] septē [5] ceꝑū } *MS. Cott. XXV.*

In hoc capitulo qđ incipit omnes de castro, &c. ubi dicitur octo vel vij. annis consentimus de vij. annis. XVII.

[In hoc capitulo qđ dicitur provideant dñi, &c. concordamus ut xij. eligantur.[6]] XXIII.

In hoc capitulo qđ incipit de Castris, &c. consentimus dicto eoꝝ qui dicunt & provident qđ racionabile escambium terre fiat eis. XXV.

Iīm dicimus de castris de Erdesleye [Bith[a]m & Certesleye [7]] qđ detur racionabile escambium terre. XXXVI.

In hoc capitulo qđ incipit laici, &c. consentim[9] dicto eoꝝ qui dicunt de [xij.[8]] annis tantūmodo. XXVI.

In hoc capitulo qđ incipit coacti vel metu ducti qui fuerunt depredatores, &c. concordamus eoꝝ provisioni qui dicunt infra annū. XXVII.

In hoc capitulo qđ incipit illi qui ad mandatū Com̄, &c. dicto illoꝝ consentim[9] q[i] dicūt qđ per dimidium annum. XXIX.

Ea ꝙ omnia que supradicta provisione dicto xij. ab eis sine lla disc ordancia sunt provisa & ordinata firmiter approbamus. In quoꝝ omniū testimoniū (9) ꝑpetuam firmitatem Nos (10) Sc̄i Adriani diaconus Cardinalis & apostolice sedis legatus & H. de Alemanñ Romani Regis filius presentes ſras, [&c.[11]]

[Dat̄ in castris apud Kenilworth sc̄do Kalend Novembr pontificatus dñi C. pp[e] iiij[ti] anno regni ℟ H. fit ℟ Johis L[c]ij°.

Nos aut̄ R. Menevens̄, W. Exoñ, W. Bathoñ, W. Wygornñ, Epi, G. de Clare Com̄ Glovernie, Humfridus Hereford Com̄, P. Basset, J. Bailliol, R. Walraund, Ala Suche, Rogerus de Someri, W. de Bassingbournñ, in testimoniū ꝟitatis omniū & singuloꝝ scriptoꝝ sigilla nr̄a duximus apponenda.[12]]

[6] *MS. Cott. XXV*, omits this Clause.
[7] Byh[a]m et Chesterleye
[8] duobus [9] et [10] O. } *MS. Cott. XXV.*
[11] duxim[9] roborandas
[12] Dat̄ in castro apd Kenilt sc̄do Kalt Novembr̄ Pontificat[9] dñi Clementis Pape anno iiij[to]. *MS. Cott. XXV.*

Ex MS. Cott. XXV. fo. 20.

Sequitur Addicio Dicti de Kenillworthe.

Anno sc̄do post pacē dñi Reg̃ apd Wyntoñ ꝓclam̄ dedit dñs Rex quasdam ſras, et ten̄ ipoꝝ qui Symoñ de Monte forti et conplicibus suis, inimicis ipius Reg̃, tēpore t[r]bacionis adheserant ꝓmissa tū fuit postmod̄ quedam sustentacio, uxoribus mortuoꝝ et cavebatur de uxoribus vivoꝝ inimicoꝝ ne foveret inde Rex inimicos et hoc ꝑ consiliū dñi M. de Lyttleburꝛ. Post modū de consilio dñi ℟ fc̄e fuerant quedam ꝓvisione de statu exhedatoꝝ et alioꝝ qui cū eis fuerant con[a] Regē ita qđ possent in regno morari, & victū suū in servic̄ competentibus et honestis pq[r]rere dū tn̄ bene & fidelr̄ Regi & hed suis, in posterū se ħerent. Et sitr qđ ꝓfugi, ad gr̃am Regis sine picto vite et menbroꝝ admitterent[r]. Postmodū vero q; sc̄dm diversitatē tempoꝝ divse infligende sūt pene transgressoribus ꝑdc̄is mandantū fuit Justic̄ ꝑ quodda brē quod vocatur inst[u]ccio, qđ singłis conquerentibus facerent in suis quer̄ł justic̄ Alr̄ tn̄ ꝑ commissis tēpore pacis, et alr̄ tempore gerre est insertū in brī. Et sn[d] est qđ temp[9] gerre incipit qn̄ Rex explicatis vexiłł ivit cū excercitu suo de Exoñ usque ad Norħmton continue quosq; t[r]ūpho Regi celit[9] apd Evesh[a]m de inimicis suis cōcesso pacē suā apd Wyntoñ publice proclam̄ fecerit, et de reliquiis temporibus currat lex c̄ois sicut prius consuevit; exceptis hiis qui cū Com̄ Glouc̄ apd Suthwerk postea extiterūt quos iidem Rex ad pacē suā admiserat postea autē qui tempore guerre conpulsi fuerant ad alienand ſras & ten̄ sua, ꝑ feoffamentū vl alio modo ħe[h]ant remediū in cuꝛ Regis ad terras & ten̄ illa repetenda, ꝑ bre dñi Reg̃ et vocabat[r] talē qualem, et juvabit eos qui recenter post gerram alld impetraverunt, ꝓcessu vero temporis denegabat[r] eo qđ diutina mora non reclamancia videbat[r] inducere consensū feoffanciū tempore sup[a]dc̄o.

Brē.—Rex tali salm̄ Cū ꝑ nos et magnates nr̄os concordł sit ꝓvisū qđ quilibet de regno nr̄o q[i] fidelitati nr̄e adhesit talem ħeant sc̄iam de ſris & ten̄ suis, qualem inde ħuerint in p[i]ncipio gerre ꝑdc̄e tibi ꝓcipim[9] qđ unū mes̄ unam caruc̄ ſre in B. que Joħa que fuit uꝛ W. de B. tenuit jus suū una cū ꝓfato W. viro suo in p[i]ncipio guerre ꝑdc̄e ut asserit ꝑ visū ꝓboꝝ & leg̃ hoīm capias in manū nr̄am. Et scire fac̄ P. filio W. qui sc̄iam ꝑdc̄e J. inpedit qđ sit coram nob a die Pasch in xv. dies ubicūq; tc̄ fuimus in Angł si sibi viderit expedire ostens̄ si quid sciat dr̄e quod obstare ħeat ꝑꝑ quod dc̄e mes̄ et ſra dc̄e Joħe restitui non debeant desicut eciam ꝑdc̄s P. ꝑdc̄a mes̄ & ſram eidem J. nup recognovit et reddidit in cuꝛ nr̄a corā nob. Et ħeas ibi nōia eoꝝ ꝑ quoꝝ visū et testimoñ dc̄a mes̄ et ſram cepis in manū nr̄am et hoc brē. T. etc̄ apd Westm̄ octavo die Febr̄ anno rc̄ ñ Li°.

Ex MS. Harl. 1033, *fo.* 10. *b.*

Tempus guerre inꝛ Regem & Barones fuit a q[r]rto die Aprł anno regni regis H. fit Regis Johis xlviij° usq; ad sextūdecimū diem Septembr̄ anno regni ejusdem Regis H. xlix, quo die pax fuit ꝓclamata apud Winton.

Anno 52° HENRICI, III. A.D.1267.

Statutum de Marleberge.

THE STATUTE OF MARLBOROUGH.

Ex Lib. Rub. Scacc. Westm. fo. 243.

PROVISIONES facte apd Marleberg̃, ꝑsenť Dño Rege H. & R. Rege Alem̃, & Dño Edwardo fit ejusdē H. Reg̃ Primogenit̃, & Dño Octobono tunc legato in Angł.

ANNO gr̃e M° C°C Lx° septimo, regni autem Dñi H. Regis filii Regis Johis quinquagesimo secundo, in Octab Sc̃i Martini, ꝓvidente ipo Dño Rege, ad regni sui Angł melioracoem & exhibicoem justicie ꝓut regalis officii exposcit utilitas meliorem, convocatis discrecoribꝫ ejusdem regni tam ex majoribꝫ q'm minoribꝫ; ꝓvisum est & statutū ac concordi ordinatū, ut cū regnū Angł młtis tribulacoibꝫ & dissensionū incomodis nup deꝑssum, reformacone legum & Juriū, quibꝫ pax & t'nsquillitas incolaꝝ conservet', indigeat, ad quod remediū salubre ꝑ ip̃m Regem & suos fideles oportuit adhiberi, ꝓvisiones, ordinacoes & statuta subsc'pta, ab oīibꝫ regni ipius incolis tam majoribꝫ q'm minoribꝫ firmit̃ ac inviolabilit̃ tempibꝫ ꝓpetuis obꝰvent'.

Cum igit' tempore turbacōnis nup in Regno suborte & deinceps, multi Magnates & alii justiciam nō dignati fuerint recipe ꝑ Dñm Regem & Cur̃ ejus, ꝓut debuꝰunt & consueꝰunt tempibꝫ ꝑdecessoꝝ ipius Dñi Regis & ꝰ tempe suo, set de vicinis suis et aliis ꝑ seipos graves ulciones fecint, & graves districcones, quousq; redempcones recepint, ad voluntatem suam: Et ꝑꝰea quidam eoꝝ se justiciari nō ꝑm'tant ꝑ ministros Dñi Regis, n' sustineant qd ꝑ eos libent' dist'cones quas auctoritate ꝓpria fecunt ad volūtatem suam: ꝓvisum est & concordi concessum, qd tam majores q'm minores justiciam [faciant [1]] & recipiant in Cur̃ Dñi Regis; et nullus de ceo ulcones aut dist'cones faciat ꝑ ꝓpriam voluntatem suam, absq; consideracone Cur̃ Dñi Regis, si forte dampnū vł injuria sibi fiat unde emendas ħere volūit de vicino suo, sive majore sive minore.

Sup articulo autē sup'dco ꝓvisum est & concessum, ut si quis de ceo ulcoem h'i capiat ꝑ voluntatem suam ꝓp'am, sine consideacoe Cur̃ Dñi Regis (2) & inde cōvincat', puniatur ꝑ redempcoem, & hoc sc̃dm q'ntitatem delicti; & similit̃ si sup vicinū suū faciat dist'cones sine consideacone Cur̃ Dñi Regis, ꝑ quod dampnū ħeat, puniat' eodm modo, & hoc sc̃dm [delicti sui qualitatem: [3]] & nichilomin̄ fiant emende plene & sufficientes eis qui dampnū s'tinuꝰint ꝑ h'i dist'coem.

[1] ħeant *MS. Cott. Claud. D. II: Lib. Scacc. X. The Copy in MS. Cott. is marked* Ex' ꝑ rotuł.

[2] ut ꝑdcm est *MS. Cott.*

[3] q'ntitatem delicti *MS. Cott: Lib. Scacc. X.*

PROVISIONS *made at Marlborough in the Presence of our Lord King Henry, and Richard King of the Romans, and the Lord Edward eldest Son of the said King Henry, and the Lord Ottobon, at that Time Legate in England.*

IN the Year of Grace, One thousand two hundred sixty-seven, the two-and-fiftieth Year of the Reign of King Henry, Son of King John, in the Utas of Saint Martin, the said King our Lord providing for the better Estate of his Realm of England, and for the more speedy Ministration of Justice, as belongeth to the Office of a King, the more discreet Men of the Realm being called together, as well of the higher as of the lower Estate: [1 It was Provided, agreed, and ordained, that whereas the Realm of England of late had been disquieted with manifold Troubles and Dissensions; for Reformation whereof Statutes and Laws be right necessary, whereby the Peace and Tranquillity of the People must be observed; wherein the King, intending to devise convenient Remedy, hath made these Acts, Ordinances, and Statutes underwritten, which he willeth to be observed for ever firmly and inviolably of all his Subjects, as well high as low.']

I. Of wrongful Distresses, or Defiances of the King's Courts.

WHEREAS at the time of a Commotion late stirred up within this Realm, and also sithence, many great Men, and divers other, [refusing to be justified [2]] by the King and his Court, like as they ought and were wont in Time of the King's noble Progenitors, and also in his Time; but took great Revenges and Distresses of their Neighbours, and of other, until they had Amends and Fines at their own Pleasure; and further, some of them [would not be justified [3]] by the King's Officers, nor [would [4]] suffer them to make Delivery of such Distresses as they had taken of their own Authority ([5]); It is Provided, agreed, and granted, that all Persons, as well of high as of low Estate, shall ([6]) receive Justice in the King's Court; and none from henceforth shall take any such Revenge or Distress of his own Authority, without Award of [our [7]] Court, though he have Damage or Injury, whereby he would have amends of his Neighbour either higher or lower.

Punishment for unlawful Distresses.

And upon the foresaid Article It is Provided and granted, that if any from henceforth take such Revenges of his own Authority, without Award of the King's Court as before is said, and be convict thereof, he shall be punished by Fine, and that according to the Trespass; and likewise if one Neighbour take a Distress of another without Award of the King's Court, whereby he hath Damage, he shall be punished in the same wise, and that after the Quantity of the Trespass; and nevertheless sufficient and full Amends shall be made to them that have sustained Loss by such Distresses.

[1] *It was Provided and established and with full consent ordained, That (whereas the Realm of England having been of late depressed by manifold Troubles and the evils of Dissensions, standeth in need of a Reformation of the Laws and Usages, whereby the Peace and Tranquillity of the People may be preserved, whereto it behoved the King and his liege Men to apply an wholesome Remedy,) the Provisions, Ordinances, and Statutes underwritten, should be firmly and inviolably observed by all the People of the same Realm, as well high as low, for ever.*

[2] have disdained to be justised

[3] will not be justised

[4] will

[5] *at their own Pleasure*

[6] *do, and*

[7] *the King's*

II. Distresses for Suit of Court.

MOREOVER, none, of what Estate soever he be, shall distrain any to come to his Court, which is not of his Fee, or upon whom he hath no Jurisdiction, by reason of Hundred, or Bailiwick (1); nor shall take Distresses [out of the Fee or Place where 2] he hath no Bailiwick or Jurisdiction: And he that offendeth against this Statute shall be punished in like manner; and that according to the Quantity [and Quality 3] of the Trespass.

III. Of resisting the King's Officers in Replevins.

IF Any, of what Estate soever he be, will not suffer such Distresses as he hath taken, to be delivered by the King's Officers, after the Law and Custom of the Realm, or will not suffer Summons, Attachments, or Executions of Judgments given in the King's Court, to be done according to the Law and Custom of the Realm, [as is aforesaid] he shall be punished in manner aforesaid, as one that will not obey the Law, and that according to the Quantity of the Offence.

Distresses for Services not due.

And if any, of what Estate soever he be, distrain his Tenant for Services and Customs [being due 4] unto him, or for any other Thing, for the which the Lord of the Fee hath Cause to distrain, and after it is found that the same Services are not due, the Lord shall not therefore be punished by Fine, as in the Cases aforesaid, if he do suffer the Distresses to be delivered according to the Law and Custom of the Realm; but shall be amerced as hitherto hath been used, and the Tenant shall recover his Damages (5) against him.

IV. Distresses shall not be driven out of the County.

NONE from henceforth shall cause any Distress that he hath taken, to be driven out of the County where it was [taken]; and if one Neighbour do so to another of his own Authority, and without Judgment, he shall make Fine, as above is said, as for a Thing done against the Peace; nevertheless, if the Lord presume so to do against his Tenant, he shall be grievously punished by Amerciament.

Distresses shall be reasonable.

Moreover, Distresses shall be reasonable, and not too great; and he that taketh [great 6] and unreasonable Distresses, shall be grievously amerced for the Excess of such Distresses.

V. Confirmation of the Great Charter.

THE Great Charter shall be observed in all his Articles, as well in such as pertain to the King, as to other; and that shall be enquired afore the Justices in Eyre in their Circuits, and afore the Sheriffs in their Counties, when need shall be; and Writs shall be freely granted against them that do offend, before the King, or the Justices of the Bench, or before Justices in Eyre, when they come into those Parts. Likewise the Charter of the Forest shall be observed in all his Articles, and the Offenders, when they be convict, shall be [grievously] punished by our Sovereign Lord the King [in Form above mentioned.]

Charter of the Forest.

VI. Fraudulent Conveyances shall not deprive Lords of their Wardships.

AS touching them that use to infeoff their eldest Sons and Heirs, being within Age, of their Heritage, for to defraud the Lords of the Fee of their Wardships, It is Provided, accorded, and agreed, that by occasion of any such Feoffment no Chief Lord shall leese his Ward. Moreover, touching them that fain false Feoffments of their Lands, which they will lease for Term of Years, for to defraud the Chief Lords of their Wards, wherein it is contained, that they are satisfied of the whole Service due unto them until a certain Term; [so 7] that such Feoffees are bound [at 8] the said Term to pay a certain Sum [to the Value of the same Lands, or far above;9] so that after such Term the Land shall return unto them, [or to their Heirs], because no Man will be content to hold it upon the Price; It is Provided and agreed, that by such Fraud no Chief Lord shall leese his Ward: Nevertheless, it shall not be lawful to them to disseise such Feoffees without Judgment, but they shall have a Writ for to have such a Ward restored unto them; and by the Witnesses contained in the [Deed 10] of Feoffment, with other free and lawful Men of the Country, and by the (11) Value of the Land, and by the Quantity

Process and Trial to avoid such Conveyances.

1 *which is his*
2 without his Fee, or in place where
3 Not in Original.
4 *which he alledgeth to be due*
5 *fully*
6 *undue*
7 *and*
8 *after*
9 *much beyond the Value of the Lands,*
10 *Deeds*
11 quantity and

Nullus insup major vl minor distringat aliquem ad veniend ad Cur suā qui nō sit de feodo suo, aut sup ipm (1) heat jurdcōem p Hundr vl ballam que sua sit; nc dist'cc̄oes faciat exa feodum suū seu locū ubi ballam (2) heat seu jurdcōem: Et qui [conta fecit,3] puniatr eodm mo & hoc sc̄dm delicti q'ntitatem.

Si quis autem major vl minor pm'tere nolit libari p ministros Dni Regis & sc̄dm legem & consuetudiem Regni districc̄oes quas fecit, aut & [si sustinde nolit execuc̄oes judic̄o9 Cur Dni Reg fieri, aut eciam sustine nolit sūmonic̄oes & athachiamta fieri, scdm legem & consuetudiem Regni,4] puniatr modo pdc̄o tanqam se justiciari nō pm'tens, [& hoc sc̄dm delicti q'ntitatem.5]

Quod si quis major vl minor dist'cc̄oes faciat sup tenentem suū p sviciis aut consuetudinib3 que s' deberi dicat, vl p re altera un ad dm feodi ptineat face dist'cc̄oes, & pea convincatr qd tenens ej9 ea sibi nō debeat, nō ideo puniatr dis p redempc̄oem sicut in casib3 supdcis, si pm'tat dist'cc̄oes libari sc̄dm legem & consuetudiem Regni; set amcietr velud hactenus fieri consevit, & tenens dampna sua recupet [plene 6] versus eum.

Nullus de cetо duce faciat dist'cc̄oes quas fecit exta Com in quo fuint: Et si vicinus hoc fecit supa vicinū p voluntatem suam & sine judic̄o, puniatr p redempc̄oem ut supa, veluti de re conta pacem: Verumptn si Dis hoc supa tenctem suū face psumpsit, castigetur p gavem misc̄diam.

Dist'cc̄oes insup sint rōnabiles & nō nimis graves; & si quis dist'cc̄oes fecit inrōnabiles & indebitas, gavit amcietr ppt excessum dist'cc̄onū ipaz.

Magna Carta in singulis suis articulis teneatr tam in his que ad Regem ptinent, quam ad alios; & hoc [Justic 7] in itinib3 suis, & Vic in suis Comit, cū opus fuit, demandetr; & bria versus eos qui contavenint, gatis concedantr corā Rege vel corā (8) banco vl coram Justic itinantib3 cū venint ad ptes illas. [9Carta insr de Foresta in singlis suis articlis ulq teneatur, & contra vcientes p ipm dm Reg cū ind cōvicti fuint puniantr.9]

De his autē qui pmogenitos & hedes suos infra etatem existentes feoffare solent de heditate sua, ut p hoc am'terent Dni feodoz custodias suas, pvisum est concordit & concessum ut occone hi feoffamti nullus capit dis custodiā suā am'tat.

De his insup qui de ris suis, quas tradere volunt ad minū annoz, & ut Dni feodoz am'tant custodias suas, falsa confingunt feoffamenta ptinencia qd eis satisfcm est de summa svicii in illis contenti usq ad minū aliquē; [& 10] qd post dcm minū solve teneatr hi feoffati summā aliquā valorē tra illaz in multo excedentē, ut sic p minū illum tra eoz revtatr ad ipos, eo qd nemo [eas 11] p tanto tene curaret; pvisum est & concessum, ut p hi fraudem nullus capit Dis am'tat custodiam suam: verumptn nō licebit eis hi feoffatos sine judic̄o disseysire, set bre [capiant 12] de hi custodia s' reddenda, & p testes in cartis de huj9modi feoffamentis contentos, una cū aliis libis & legalib3 de pat'a, & p q'ntitatem [valoris 13] tenemti, & p q'ntitatem summe que (14) reddi

1 non *MS. Cott: Lib. Scacc. X: MS. Rawl.* 277.
2 non *MS. Cott: Lib. Scacc. X.*
3 contra hoc statutum venit *MS. Cott: Lib. Scacc. X.*
4 aut eciam sustinere noluerit sūmoniciones & attachiamenta, seu execuciones judicio9 Cur dni Regis fieri, *MS. Cott.*
5 *MS. Cott.* omits.
6 *MS. Cott.* omits.
7 coram Justic itinantib3
8 Justic de
} *MS. Cott: Lib. Scacc. X.*
9 This Clause is inserted in the Text from *Rot. Boil.—Lib Rub. Scacc; Lib. Scacc. X; MS. Cott. Claud. D. II; MS. Harl.* 5022, and several antient Manuscripts omit this Clause. All the Printed Copies insert it.
10 ita *MS. Cott.*
11 eam *Rot. Bodl.*
12 heant
13 & valorem
14 inde
} *MS. Cott: Lib. Scacc. X.*

debet post ꝓximū ꝓdčm, attingat' utrū h̄ꝰi feoffamentū bona fide fcm sit vt in fraudem ad auferend capitalibꝫ dn̄is (1) custodiam suam. Si tam̄ capitales Dn̄i p judiciū Cur̄ recupent in h̄ꝰi casibꝫ custodiam suam, salva sit nichilominꝰ h̄ꝰi feoffatis accō sua, (2) ad ꝓximū seu ad feodum suū recupandū (3) cum h̄es ad leg'timā etatem ꝓvenit.

Qd si aliqui capitales Dn̄i feoffatos aliquos malicōse inplacitavint fingentes casum istū, ubi feoffamenta leg'time & bona fide facta fuint, tunc adjudicent' feoffatis dampna sua & mise sue quas fecint occōe placiti predci, & ip̄i actores p mīam g'aviter puniant'.

In placito vero cōmuni de custodiis si ad magnā dis-t'cōem nō venint deforciantes, tunc bis vt ter iteretur br̄e ꝓdčm, ad ꝓximos quibꝫ potit fieri inf' mediet' anni sequentis, Ita qd singulis vicibꝫ legat' br̄e in pleno Comit' [n' (4)] p'us invent' fuit deforciator, & ibi pupblice denūciet' ut veniat ad diem sibi ꝓfixū. Qd si ip̄e se sbt'xerit ita qd inf' predcam mediet' anni responsur' nō venerit, nc Vic̄ illum invenire possit, p quod corpus suū h̄ere possit corā Justiciar̄ ad respond scdm legem & consuetudiem regni, tūc tanq'm rebellis & se justiciari nō pm'tens, am'tat seysinā h̄ꝰi custodie, salva s' alias accōne sua si forte jus h̄eat ad eandm. In casibꝫ autē ubi custodie ptinent ad [custodes (5)] h̄edū infa etatem exnciū [& versus custodes ip̄os petunt' custodie (6)] que accidunt h̄edibꝫ [illis (7)] tanq'm ptinentes ad eoꝝ h̄editatem, nō am'tant h̄ꝰi h̄edes infa etatem exntes, (8) p neggligenciam vt rebellionē sui c'todis, sicut in casu supradco, set c'rat [lis (9)] eodem modo quo p'us consuevit.

Illi autē qui p ꝑata disseysina capti fuint & detenti, nō delibent' sine spali ꝓcepto Regis & [cum (10)] p finē cū Dn̄o Rege faciend p h̄ꝰi t'nsgressione sua. Et si comptū fuit qd Vic̄ eos alit' delibavit, gravit' ppt' hoc anciet'; & n'ominꝰ illi qui p Vic̄ sine ꝓcepto Reg̃ [delibant' (11)] pro sua tr'nsgressione puniant'.

De sectis siquidem faciend ad Cur̄ Magnatū & alioꝝ dn̄oꝝ ip̄aꝝ Cur̄ de cet'o sic obsvand est, scilt qd nullus qui p cartam feoffatꝰ ē dist'ngat' de cet'o ad h̄ꝰi sectam faciendam ad cur̄ dn̄i sui n' p cartam formā carte sue spalit' teneat' ad sectam illam faciendā: Hiis tn̄ exceptis quoꝝ antecessores, vt ip̄imet h̄ꝰi sectam fac̄e consuevunt ante p'mā t'nsfretacōem Dn̄i Regis in Britanī, a tempe cujꝰ t'nsfretacōnis elapsi sunt [t'ginta & novē anni & medietas unꝰ anni (12)] tempe quo h̄ꝰi constitucōnes fuant statute. Et similit' nullus feoffatꝰ sine carta a tempe conquestus vt alio antiquo feoffamto dist'ngat' de cet'o ad h̄ꝰi sectam faciendam, n' ip̄e & antecessores sui eam fac̄e consuevunt ante t'nsfretacōem Dn̄i Regis supdčm. Qui autē p cartam p certo svicō veluti p libero svicō tot solid annuatim p omi svicō solvendoꝝ feoffati sunt, ad sectam vt aliud ult' formā sui feoffamenti, nō teneantur. Et si h̄editas aliqua de qua unica secta tn̄ [debebat' (13)] ad plures h̄edes pticipes ejusdem h̄editat' devolvat' ille qui h̄t eyneciam

(1) feodi *MS. Cott.* (2) quam *MS. Cott.*
(3) inde h̄uerint *MS. Cott.* (4) ubi *MS. Cott.*
(5) custodias *MS. Cott: Lib. Scac. X.*
(6) & ubi custodes petunt custodias *MS. Cott: Lib. Scac. X.*
(7) vel *MS. Cott: Lib. Scac. X.* (8) nc *Lib. Scac. X.*
(9) Lex cōis *MS. Cott: Lib. Scac. X.*
(10) hoc *MS. Cott: Lib. Scac. X.*
(11) sic libent' *MS. Cott: Lib. Scacc. X.*
(12) xxx anni & medietas unius anni, a *Lib. Scac. X.*
xxti & novem anni & dimid *Rot. Claus. 44 Hen. III. m. 17 d.*
triginta & duo anni *Rot. Pat. 47 Hen. III. m. 14. in cedula.*
[For the Provisions entered on these Close and Patent Rolls, See page 8. &c. of this Volume.]
(13) debeat' *MS. Cott: Lib. Scac. X.*

of the Sum payable after the Term, it shall be tried whether such Feoffments were made bona fide, or by Collusion, to defraud the Chief Lords of the Fee of their Wards. And if the Chief Lords in such Cases recover their Wards by Judgment (1) the Feoffees shall nevertheless have their Action [to recover such Term or Fee, which they had therein,(2)] when the Heirs come to their lawful Age. Saving of Suits to Feoffees.

And if any Chief Lords do maliciously implead such Feoffees, faining this Case, namely, where the Feoffments were made [lawful(3)] and in good faith, then the Feoffees shall have their Damages awarded, and their Costs which they have sustained by occasion of the foresaid Plea, and the Plaintiffs shall be grievously punished by Amerciament. Damages, and Costs upon malicious Suits by Lords.

VII. Of the Writ of Ward and Process thereon.

IN [a Plea of Communi Custodia,(4)] if the Deforceors come not at the great Distress, then the said Writ shall be renewed twice or thrice, at such Terms as it may be done within the half year following, so that every time the Writ shall be read in the open County, if the Deforceor be not found before, and there openly be proclaimed, that he may come at the day limited (5); [so that if (6)] he absent himself then, [and (7)] come not to answer within the said half year, [nor the Sheriff cannot get his Body, to have it (8)] before our Justices to answer according to the Law and Custom of the Realm, then as a Rebel, and such a one as will not be justified, he shall lose the Seisin of his Ward; saving to him his Action at another time, if he have any right to the same. But in such cases, where the Wardships belong to the Guardians of Wards being within Age, and [where the Guardians demand a Wardship which belongeth to the Heir, or as appertaining to their Inheritance,(9)] such Heirs within Age [shall not leese their Inheritance (10)] by the Negligence or Rebellion of their Guardians, as in the case afore rehearsed; but let the Common Law run in like manner as it hath been accustomed to do. Saving for Heirs within Age.

VIII. Of Persons taken for Redisseisin.

THEY which be taken and imprisoned for Redisseisin, shall not be delivered without special Commandment of our Lord the King, and shall make Fine with our Lord the King for their Trespass. And if it be found, that the Sheriff delivereth any contrary to this Ordinance, he shall be grievously amerced therefore; and nevertheless, they which are so delivered by the Sheriff without the King's Commandment, shall be [grievously] punished for their Trespass.

IX. Who shall do Suits of Court.

FOR doing Suits unto Courts of great Lords, [or of meaner Persons,(11)] from henceforth this Order shall be observed; That none that is infeoffed by Deed, from henceforth shall be distrained to do such Suit to the Court of his Lord, without he be specially bound thereto by the Form of his Deed: These only except, whose Ancestors or they themselves, have used to do such Suit before the first voyage of the [said] King [Henry] into [Britain,(12)] since which nine and thirty years and an half are passed, [unto the time (13)] that these Statutes were enacted. Likewise from henceforth none that is infeoffed without Deed, from the Time of the Conquest, or (14) any other ancient Feoffment, shall be distrained to do such Suits, unless that he or his Ancestors used to do it before the said Voyage (15). And they that are infeoffed by Deed to do a certain Service, as for (16) Service of so many Shillings by Year, to be [acquitted (17)] of all Service, from henceforth shall not be bounden to such Suits, or other like, contrary unto the Form of their Feoffment. And if any Inheritance, whereof but one Suit is due, descend unto many Heirs, (18) as unto Parceners, whoso hath the eldest Part of Suits of Court, by Parceners, &c.

(1) *of the Court*
(2) *which, to recover their Term or Fee therein, they might have,*
(3) lawfully (4) the common plea for wardship
(5) *for him* (6) and if (7) so that he
(8) *and the Sheriff cannot find him, so that he may have his body*
(9) *the Wardships that fall to the Heirs as appertaining to their Inheritance are demanded against the Guardians themselves,*
(10) *shall not suffer* (11) *and others the Lords of those Courts*
(12) *Brittany* (13) *at the time* (14) *by*
(15) *of our Lord the King* (16) *the free* (17) *paid in lieu*
(18) *of the same Inheritance*

the Inheritance, shall do that one Suit for himself and his Fellows, and the other Coheirs shall be Contributaries, according to their Portion, for doing such Suit. And if many Feoffees be seised of an Inheritance, whereof but one Suit is due, the Lord of the Fee shall have but that one Suit; and shall not exact of the said Inheritance but that one Suit, as hath been used to be done before. And if those Feoffees have no [Warrant[1]] or Mean which ought to acquit them, then all the Feoffees, according to their Portion, shall be Contributaries for doing [the Suit for them.[2]]

The Tenant's Remedy against the Lord, distraining for Suits not due.

And if it chance that the Lords [of the Fee[3]] do distrain their Tenants for such Suits, contrary to this Act, then at the Complaint of the Tenants, the Lords shall be attached to appear in the King's Court at a short Day, to make Answer thereto, and shall have but one Essoin therein, if they be within the Realm; and immediately the Beasts, or other Distresses taken by this Occasion, shall be delivered to the Plaintiff, and so shall remain, until the Plea ([4]) betwixt them be determined. And if the Lords of the Courts which took ([5]) Distresses, come not at the Day that they were attached, or do not keep the Day given to them by Essoin, then the Sheriff shall be commanded to cause them to come at another Day; at which Day, if they come not, then he shall be commanded to distrain them by all [their Goods and Chattels] that they have in [the Shire,[6]] so that the Sheriff shall answer to the King of the Issues [of the said Inheritance]; and that he have their Bodies [before our Justices] at a certain Day limited; so that if they come not at that Day, the Party Plaintiff shall go without Day, and his Beasts, or other Distresses [taken by that colour,] shall remain delivered, until the same Lords have recovered the same Suit by Award of the King's Court: And in the mean time such Distresses shall cease; saving to the Lords of the Court their Right to recover those Suits in Form of Law, when they will sue therefore. And when the Lords of the Courts come in to answer the Plaintiffs of such [Trespasses,[7]] and be convict thereupon; then, by Award of the [King's] Court, the Plaintiffs shall recover against them the Damages that they have sustained by occasion of the said Distress.

The Lord's Remedy against the Tenants, withholding their due Suits.

Likewise if the Tenants, after this Act, withdraw from their Lord such Suits as they [were wont[8]] to do, and which [they did[9]] before the Time of the said Voyage, and hitherto ([10]) used to do; then by like Speediness of Justice, as be to limiting of Days, and awarding of Distresses, the Lords of the Court shall obtain Justice to recover their Suits, with their Damages, in like manner as the Tenants should recover theirs: And this recovering of Damages must be understood of withdrawing from themselves, and not of withdrawing from their Ancestors: nevertheless, the Lords of the Court shall not recover Seisin of such Suits against their Tenants by Default, [as they were wont to do.[11]] And touching Suits withdrawn before the Time afore mentioned, let the Common Law run as it was wont before time.

X. Exemptions from attending the Sheriff's Turns.

FOR the Turns of Sheriffs, It is Provided, That Archbishops, Bishops, Abbots, Priors, Earls, Barons, nor any Religious Men or Women, shall not need to come thither, except their Appearance be especially required thereat for some [other] cause; but the Turn shall be kept as it hath been used in the times of the King's [noble Progenitors.[12]] And they that have [Hundreds of their own to be kept,[13]] shall not be bound to appear at any such Turns, but in the Bailiwicks where they be dwelling. And the Turns shall be kept after the Form of the ([14]) Great Charter, and as they were used ([15]) in the times of King Richard and King John.

XI. No Fines for Beaupleader.

IT is Provided also, That from henceforth neither in the Circuit of Justicers, nor in [Counties, Hundreds, and[16]] Court Barons, any Fines shall be taken of any

[1] *Warrantor* [2] *that Suit.* [3] *of Courts*
[4] *thereof* [5] *such* [6] *his Bailiwick*
[7] *Distresses* [8] *ought*
[9] omit these words. [10] *they have*
[11] *as that hath not been the Custom heretofore.* [12] *Predecessors*
[13] Tenements in divers Hundreds
[14] *King's* [15] to be kept
[16] County-Courts, Hundreds, nor

ejꝰdem ħeditaŧ unicam faciat sectam ꝑ se & ꝑticipibꝫ suis, & alii ꝑticipes sui ꝑ porc̃one sua contribuant, ad sectam illam faciendam. Similiꝫ si plures feoffati fuint de ħeditate aliqª de qª unica secta [debebatur,[7]] dñs feodi illius unicã inde ħeat sectam, nᶜ possit de hereditate illa nisi unicã sectam exigᷣe sicut pˡus fieri consuevit. Et si feoffati illi warant̃ vel mediũ nõ ħeant qui eos inde acqˢetare debeat tũc oĩes feoffati illi contˡbuant ꝑ porc̃one sua ad sectam illam faciendam.

Si autẽ contingat qđ Dñi Cur̃ tenentes suos contª hanc ꝓvisionẽ ꝑ hꝰi secta distringant tũc ad querimoniã tenenciũ illoꝝ atthachientʳ qđ ad Cur̃ Dñi Regis veniant ad brevẽ diem inde responš, & unicũ ħeant essoñ si fuint in regno, & incontinẽti deliber̃tur aꝛia conquerenti sive alie districc̃ones hac occ̃one facte, & delibata remaneant donᶜ placitũ inde int̃ eos ꝼminetʳ. Et si Dñi Cur̃ qui hꝰi districc̃ones fec̃int ad diem ad quem atthachiati fuint nõ venint, vł diem sˡ datũ ꝑ essoñ nõ obꝺvaꝺint, tunc mandetʳ Vic̃ qđ eos ad aliũ diem veniꝛ fac̃; ad quem diem si nõ venint mandetʳ Vic̃ qđ distˡngat eos ꝑ oĩa que ħent in balla sua Ita qđ Vic̃ Dñio Regi respondeat de exiŧ; & qđ ħeat corpa eoꝝ ad ꝯtum diem ꝑfigendũ; Ita qđ si die illo nõ venint ꝑs conquerens eat sine die, & aꝛia sive alie districc̃ones delibate remaneant, donᶜ ipi Dñi sectam illam recupaꝺint, ꝑ considac̃oem Cur̃ Dñi Regis: Et cessent int̃im distˡcc̃ones hꝰi, salvo Dñis Cur̃ jure suo de sectis illis ꝑquirenꝺ in [formã[4]] jur̃ cũ inde loqui volꝺint. Et cũ dñi Cur̃ venint responsuꝛ conquerenᷣ de hꝰi [districc̃onibꝫ[3]] & sup hoc cõvincãtʳ, tunc ꝑ consideraco̅em Cur̃ recupent versꝰ eos conquerentes dampna sua que sꝰtinꝺunt occasione distˡcc̃onis predc̃e.

Simili aut̃ modo si tenentes pꝰ hanc constituc̃oem subtrahant Dñis suis sectas quas fac̃e debent & quas ante tempꝰ supªdc̃e tˢnsfretac̃onis & hactenꝰ fac̃e consueꝺunt, ꝑ eandm justiciam & celeritatem quoad dies ꝑfigendos, & districc̃ones adjudicandas, ꝙseqˢntur Dñi Cur̃ justiciam de sectis illis una cũ dampnis suis, quemadmoꝺ teñtes dampna sua recuꝑant: & hoc sciłt de dampnis recupanꝺ intelligatur de subtªcc̃onibꝫ sibi fcis & nõ de subtªcc̃onibꝫ fcis ꝑdecessoribꝫ iꝑoꝝ: verumptũ Dñi Cur̃ versꝰ tenẽtes suos seysinã de sectis hꝰi recupare nõ poˡunt ꝑ defaltam [sicut nᶜ hactenus fieri consuevit.[4]] De sectis autẽ que ante tempꝰ predc̃m subtªc̃e fuunt, currat lex cõmunis sicut pˡus currere consuevit.

De turnis Vicecom̃ ꝓvisum est qđ nc̃c̃e nõ ħeant ibi venire Archiepi, Epi, Abbes, Priores, Comites, Barones, nᶜ aliqui viri religiosi seu mulieres, nˡ eoꝝ ꝑsencia ([5]) spalit̃ exigatʳ; set teneatʳ turnus sicut tempibꝫ ꝑdecessoꝝ Dñi Regis teñi consuevit. Et si qui in hundr̃ divꝫsis ħeant teneñta, nõ ħeant nc̃c̃e ad hꝰi turnos venire, nˡ in ballis ubi fuint conꝫsantes. Et teneantʳ tˢni sc̃dm formã magne carte Regis, & sicut tempibꝫ Regũ Ric̃i & Joñis teñi consueꝫunt.

Provisum est & qd nᶜ in itiñe Justiciar̃, nᶜ in comit̃, hundr̃, nᶜ in Cur̃ Baronũ de ceᷣo capiantʳ fines ([6])

[1] debeatʳ *MS. Cott: Lib. X.*
[2] forma *MS. Cott: Lib. X: Rot. Claus: Rot. Pat.*
[3] tˢnsgressionibꝫ *MS. Cott: Lib. Scac. X.*
[4] sicut hactenus fieri consuevit *MS. Cott: Lib. Scac. X.—Rot. Claus. & Rot. Pat.* read as in the Text.
[5] ob aliqªm causam *MS. Cott.* [6] ab aliquibꝫ *MS. Cott.*

p pulcre placitando neq; p sic qd nō occ̄onent'. Et sciend qd p istam constituc̄oem nō tollunt' fines certi seu p̄stac̄ones arentate a tempe quo p'mo t̄nsfretavit Rex in Britañ usq; nūc.

In placito vero dotis qd dicit' unde nichil h̄t, dent' de ce᷑o quatuor dies p annū ad min᷒, & plures, si cōmode fieri possit. Ita qd h̄eant' sex dies vt quinq; ad min᷒ p annū.

In assisa autē ultime p̄sentac̄onis & in placito quare inpedit de ecc̄iis vacantib; det' dies de quindena in quindenā, vt de t'b; septim̄ in tres septim̄ put locus ꝑpinquus fuit vt remot᷒. Et in placito quare inpedit si ad p'mū diem ad quem sumonit᷒ fuit nō venit nec essoñ miserit inpeditor, tūc athachiet' ad diem alīū, quo die si nō veniat nec essoñ m'tat dist'ngat' p magnā districc̄oem supradc̄am: Et si tunc nō venit p ej᷒ defaltam sc'bat' Ep̄o (') qd reclamac̄ō inpeditoris illa vice conquerenti nō obsistat; salvo inpeditori alias jure suo cū inde loqui volu᷑it.

Eadem lex de athachiam̄tis faciend in om̄ib; b'ib; ubi attachiam̄ta jacent, de ce᷑o quo ad dist'cc̄ones faciend firmit᷒ ob'svetur. Ita tū qd sc̄dm attachiam̄tū [*sit* [2]] p meliores pleg̃ & p᷒mod ultima [rest'ccio.[3]]

Et sciend qd p᷒q'm aliquis posu᷑it se in inquisic̄oem aliquā que emsit vel emgere potest in h᷒i b'ib;, nō h̄ebit n' unicū essoñ vel unicā defaltam; Ita scit qd si ad diem s' datū p essoñ suū nō venit, aut [sc̄dam [4]] defaltam fec̄it, tūc inquisic̄ō illa p defaltam ip̄ius capiat', & sc̄dm inquisic̄oem ad judm ꝓcedat'. Si v° inquisic̄ō illa capta fuit [in com̄ cora coronatoribz vt [5]] Justiciar Regis ad certū diem (6) rem'tenda, & [ps ea [7]] nō venit ad diem illū, tūc ꝑpt defaltam ip̄ius assignet' ei alius dies sc̄dm discrec̄oem Justiciar, & mandet' Vic̄ qd ad diem illum ip̄m venire faciat ad aud judm suū si velit sc̄dm inquisic̄oem illā; ad quem diem si nō venit ꝓcedat' ad judm ꝑpt defaltā suā. Eodm m° fiat si nō veniat ad die s' dat p essoñ suū.

De cartis vero exempc̄onis & lib̄tatis ne ponant' inpet'ntes in assisis, juratis, vt recognic̄onib;, ꝑvisum est qd si adeo nc̄c'm sit eoꝝ juramentū qd sine eo justicia exhiberi nō possit, veluti in magna assisa & in pambl̄onib;, & ubi in cartis vt sc'ptis cōvenc̄onū fu᷑int testes nōiati, aut in attinctis, vt aliis casib; consimilib; jurare cogant'; salva s' alias lib̄tate & exempc̄one sua preca.

[Nulli de cetero liceat ex q'cumq; causa districc̄ones facere ext' feodum suū, neq; in regia aut c̄oi strata, nisi Dñō Regi & ministris suis.[8]]

Si h̄es aliquis post mortem sui añcessoris inf' etatem extit᷑it, & dñs suus custodiam ꝓrꝛ suaꝛ h̄uerit, si dñs ille dco h̄edi cū ad leg'timā etatem ꝑvenit ꝓram suam sine pro reddere nolu᷑it, h̄es ille ꝓram suam [ut p mort̄ añcessoris sui [9]] recup̄abit, una cū dampnis que s᷒tinu᷑it ꝑpt detenc̄oem illam a tempe quo fuit leg'time etatis. Qd si h̄es aliquis in morte sui añcessoris plene fuit etatis, & h̄es ille apparens & p h̄ede cognit᷒ invent᷒ fuit in h̄editate illa, capitalis dñs ejus eū nō eiciat, nec aliquid ibi capiat vt amoveat, s; tm̄ inde simplicem seysinā faciat p recognic̄one

[1] loci *MS. Cott.* [2] fiat *MS. Cott.*
[3] dist'cc̄ō *MS. Cott: Lib. X: Rot. Pat.*
[4] si sc̄do die *MS. Cott.*
[5] in Com̄ p Vic̄ vel p Coronatorem, ad *MS. Cott.*
p Vic̄ in Com̄, vt p coronatorē, ad *Lib. Scac. X.*
Rot. Pat. as Text. [6] est *Printed Copies.*
[7] pars rea *MS. Cott: Rot. Pat: Lib. X.*
[8] This Clause is inserted in the Text from the Close Roll.—*Lib. Rub. Scac.* & *Lib. X.* omit the Clause.—*Rot. Pat; MS. Cott; Rot. Bodl:* several *MSS.* and the *Printed Copies* insert it, in this place.
[9] ut de morte sui antecessoris *Rot. Claus: Rot. Pat.*
p ass'm mortis antecessoris sui *MS. Cott: Lib. Scac. X.*

Man for Fair-pleading, [nor so that any Occasion shall be.'] And it is to be known, that by this Act Fines certain, or [Loans [2]] assessed since the Time that our Lord the King first passed into [Britain,[3]] (4) are not taken away.

XII. Of Days in Court; in Dower;

IN a Plea of Dower, that is called Unde nihil habet, from henceforth Four Days shall be given in the Year at the least, and more if conveniently it may be, so that [they shall have five or six Days[5]] at the least in the Year.

Of Days in Court in Darrein Presentment, and Quare Impedit.

In Assises of Darraine Presentment, and in a Plea of Quare impedit, of Churches vacant, Days shall be given from fifteen (6) to fifteen, or from three Weeks to three Weeks, as the Place shall hap to be near or far. And in a Plea of Quare impedit, if the Disturber come not at the first Day that he is summoned, nor cast no Essoin, then he shall be attached [at [7]] another Day; at which Day if he come not, nor cast no Essoin, he shall be distrained by the great Distress [above given [8]]: And if he come not then, by his Default a Writ shall go to the Bishop of the same place, that the Claim of the Disturber for that time shall not be prejudicial to the Plaintiff; saving to the Disturber his Right at another time, when he will sue therefore.

Process upon Attachments.

The same Law, as to the making of Attachments, shall from henceforth be observed in all Writs where Attachments lie, [as in making [9]] Distresses: (10) so that the second Attachment shall be made by better Pledges, and afterwards the last Distress.

XIII. Of Essoins after Issue joined.

AND It is to be known, after that a Man hath put himself upon any Enquest, the which hath (11) or [must [12]] pass in such manner of Writs, he shall have but one Essoin, or one Default; so that if he come not at the Day given to him by the Essoin, or make Default the second Day, then the Enquest shall be taken by his Default; and according to the same Enquest they shall proceed to Judgement. And if such Enquest be taken in the County, before the Sheriff or Coroners, it shall be returned unto the King's Justices at a certain Day; and if the Party Defendant come not at that Day, then, upon his Default, another Day shall be assigned to him after the discretion of the Justices; and it shall be commanded to the Sheriff, that he cause him to come to hear the Judgement, if he will, according to the Enquest; at which Day, if he come not, upon his Default they shall proceed to Judgement. In like manner it shall be done, if he come not at the Day given unto him by his Essoin.

Proceedings on Default.

XIV. Exemptions from Juries.

CONCERNING Charters of Exemption and Liberties, that the Purchaser shall not be impanelled in Assises, Juries, and Enquests; It is Provided, That if their Oaths be so requisite, that without them Justice cannot be ministred, as in great Assises, Perambulations, and in Deeds or Writings of Covenants, where they be named for Witnesses, or in Attaints, and in other cases like, they shall be compelled to swear; saving to them at another time their foresaid Liberty and Exemption.

XV. In what Places Distresses shall not be taken.

IT shall be lawful for no Man from henceforth, for any manner of cause, to take Distresses out of his Fee, nor in the King's Highway, nor in the common Street, but only to the King or his Officers, [having special authority to do the same.]

XVI. The Heir's Remedy after Wardship for Lands withholden.

IF any Heir after the Death of his Ancestor be within Age, and his Lord have the Ward of his Lands [and Tenements,] if the Lord will not render unto the Heir his Land, when he cometh to his full Age, without Plea, the Heir shall recover his Land (13) by Assise of Mortdauncestor, with the Damages that he hath sustained by such withholding, since the time that he was of full Age. And if an Heir at the time of his Ancestor's Death be of full Age, and [he is Heir apparent, and known for Heir, and [14]] be found in the Inheritance, [the [15]] Chief Lord shall not put him out, nor take, nor remove any thing there, but shall take only simple Seisin therefore for the Recognition of his Seigniory,

Simple Seisin only shall be taken of an Heir of full Age.

[1] *nor for not being troubled on that account.*
[2] *Payments* [3] *Brittany* [4] till now
[5] *there shall be allowed six or five Days*
[6] days [7] to [8] *above mentioned*
[9] as to the making of [10] *yet*
[11] *passed* [12] *may* [13] *as*
[14] *such Heir apparent and known to be the Heir* [15] *his*

[that he may be known for Lord.] And if the Chief Lord do [put[1]] such an Heir out of the Possession maliciously, whereby he is driven to purchase a Writ of Mortdauncestor, or of Cousenage, then he shall recover his Damages as in Assise of Novel disseisin.

The King shall have Primer Seisin, of Lands holden of him in chief.

Touching [Heirs which hold[2]] of our Lord the King in chief, this Order shall be observed; That our Lord the King shall have the first Seisin [of their Lands,[3]] like as he was wont to have before time; Neither shall the Heir, nor any other, intrude into the same Inheritance, before he hath received it out of the King's Hands, as [the same Inheritance was[4]] wont to be taken out of his Hands and his Ancestors [in times past.[5]] And this must be understood of Lands and Fees, the which were accustomed to be in the King's Hands, by reason of Knight's Service, or Serjeanty, or Right of Patronage.

XVII. The Duty of Guardians in Socage.

IT is Provided, That if Land holden in Socage be in the Custody of the [Friends[6]] of the Heir, because the Heir is within Age, the Guardians shall make no Waste, nor Sale, nor any Destruction of the same Inheritance; but safely shall keep it to the use of the said Heir: So that when he cometh to his lawful Age, they shall answer to him for the Issues of the said Inheritance by a lawful Accompt, saving to the same Guardians their reasonable Costs. Neither shall the said Guardians give or sell the Marriage of such an Heir, but to the Advantage of the foresaid Heir: But the next [Friends[6]] which had the Ward, for all that time that Writs of impleading did not lie, shall have such Wardship unto the Advantage of the Heir, as is said before, without Waste, [Sale,[7]] or Destruction making.

XVIII. Amercements for Defaults restrained.

NO Escheator, Commissioner, or Justicer specially assigned to take (8) Assises, or to hear and determine (x) Matters, from henceforth shall have Power to amerce for Default of common Summons, but the Chief Justices, or the Justices in Eyre in their Circuits.

XX. In County Courts, &c. Essoin need not be sworn.

TOUCHING Essoins, It is Provided, That in Counties, Hundreds, or in Courts Barons, or in other Courts, none shall need to swear to warrant his Essoin.

XIX. Plea of false Judgment confined to the King's Courts.

NONE from henceforth, except our Lord the King, shall hold in his Court any Plea of false Judgement, given in the Court of his Tenants; for such Plea specially belongeth to the Crown and Dignity of our Lord the King.

XXI. Sheriff, upon Plaint, shall make Replevins.

IT is Provided also, That if the Beasts of any Man be taken, and wrongfully withholden, the Sheriff, after Complaint made to him thereof, may deliver them without Let or Gainsaying of him that took the Beasts, if they were taken out of Liberties: And if the Beasts were taken within any Liberties, and the Bailiffs of the Liberty will not deliver them, then the Sheriff, for Default of those Bailiffs, shall cause them to be delivered.

XXII. Compelling Freeholders to answer, &c.

NONE from henceforth may distrain his Freeholders to answer for their Freeholds, nor for any Things touching their Freehold, without the King's Writ; nor shall cause his Freeholders to swear against their Wills; for no Man may do that without the King's Commandment.

XXIII. Remedy against Accountants.

IT is Provided also, That if Bailiffs, which ought to make Account to their Lords, do withdraw themselves, and have no Lands nor Tenements whereby they may be distrained; then they shall be attached by their Bodies; so that the Sheriff, in whose Bailiwick they be found, shall cause them to come to make their Account.

Farmers shall do no Waste.

Also Fermors, during their Terms, shall not make Waste, Sale, nor Exile of [House,[9]] Woods, Men, nor of any Thing belonging to the Tenements that they have to ferm, without special Licence had by Writing of Covenant, making mention that they may do it; which thing if they do, and thereof be convict, they shall yield full Damage, and shall be punished by Amerciament grievously.

Remedy thereon.

[dñi[1]] sui. Et si capitat dñs h9i ħedem exa seysam malicõse teneat p quod p accõem mortis añcessoris, vt ꝙsanguinitatis opteat ipm placitare, tũc dampna sua recupet sicut in accõne nove disseysine.

De ħeditatib3 autē que de dño Rege tenentr in capite, sic observand est; ut dñs Rex [libam[2]] inde ħeat seysm sicut pus consuevit; nec ħes vt alius in ħeditatē illam se intrudat [p9qm[3]] illam de manib3 Dñi Regis recipiat, put h9i ħeditates de manib3 ipius & añcessoꝝ suoꝝ recipi consuevint. Et hoc intelligatr de ris & feodis [in[4]] rõne ꝟvicii militaris vt ꝟjancie seu juꝛ patnat9 [que[5]] in manu R esse cõsuevunt.

Provisum est & qd si ra que tenetr in socagio sit in ctodia pentũ ħedis, eo qd ħes inf etatem exstit, custodes illi vastũ face nõ possint neq, vendicõem neq, aliqm destruccõem de ħeditate; s3 salvo eam custodiant ad opus dci ħedis: Ita qd cũ ad etatē pvenit, sibi respondeant p legtimā computacõem de exitib3 dce ħeditatis; salvis ipis custodib3 rõnabilib3 misis suis. Nec & possunt dci custodes maritagiũ dci ħedis vende nr dare ni ad comodũ dci ħedis. S3 pentes ppinqores qui h9i custodiam hint, a toto tempe illo a quo bria inplacitandi nõ concedunt, h9i custodias ħeant ad comodũ ħedis ut pdcm est, sine vasto, exilio, vel destruccõne facienđ.

Nullus Escaetor aut Inquisitor vt Justic ad assisas aliquas capiend (6) assignat9, vt ad querelas aliquas audiendas & minandas de cto potestatē ħeant aliquē anciandi p defalta cõis sumonicõis, ni [capitat Justiciar vt Justiciar itinantes[7]] ī itinib3 suis. (8)

De essoniis autē pvisum est qd in Comit, Hundr, aut Cur Baronũ vt aliis, nullus ħeat ncce jurare p essoñ suo warantizand.

Nullus de cto excepto Dño Rege teneant placitũ in cur sua de fto judicũ fco in cur tenenciũ suoꝝ; q, h9i placita spalit ptinent ad coronā & dignitatem dñi Regis.

Provisum est & qd si avia alicuj9 capiantr & inj9te detineantr, Vic p9 querimoniā sibi inde fcam, ea sine inpediñto vel contadcõne ejus q ꝺca avia cepit delibare possit, si extae libtates capta fuint: Et si infae libtates h9i avia capiantr & balli libtatũ ea delibare nolint, tũc Vic p defectu eoꝺem ballo ea faciat delibari.

Nullus de cto possit distngē libe tenentes suos ad respondend de libo tenem suo nr de aliquib3 ad libum tenem suũ sptantib3 (°); ne jurare faciat libe tenentes suos conta voluntatem suā; desicut hoc nullus face potest sine pcepto Dñi Regis.

Provisum est & qd (10) balli qui compotũ dñis suis redde tenentr [&11] se subtxerint, & ras vt teneñita nõ hint p que distngi possint, ic p eoꝝ corpora attachientr; Ita qd Vic in quoꝝ ballis inveniantr eos venire fac ad compot suũ reddend.

Item firmar tempe firmaꝝ suaꝝ vastum, vendicõem, seu exiliũ nõ faciant, in domib3, boscis, hõib3, neq, de aliquib3 ad teneñita qe ad firmā ħent sptantib3, n spalem (12) hint concessionē [p scpturam[13]] [sive cõvencõnis mencõem[14]] (15) qd hoc face possint. Et si fecint & sup hoc convincantr dampna plene refundent, & gvit p mam puniantr.

[1] dominii *Rot. Claus: Rot. Pat: MS. Cott.*
[2] primam *Printed Copies.* [3] priusqm *MS. Cott: Lib. Scac. X.*
[4] que *MS. Cott: Rot. Bodl.* [5] Interlined.
[6] speciatr *MS. Cott: Lib. X: Rot. Claus.*
[x] Capitales Justic *MS. Cott.*
[8] Viris autem religiosis nõ liceat ingredi feodũ alicujus sine licencia capital dñi, de quo scit res ipa immediate tenetr *Rot. Claus.*
A similar Clause is inserted as part of this Chapter of the Statute of Marlborough, in *MS. Harl.* 5022; and in Hawkins's and subsequent Printed Copies of the Statutes.
[9] { sine bri Reg, *Rot. Claus.* / { sine bri dñi Reg, *Rot. Pat.*
[10] si *MS. Cott.*
[11] *MS. Cott.* omits.
[12] inde *MS. Cott.* [13] *MS. Cott: Lib. Scacc. X.* omit.
[14] sue cõvencionis mencõm tntis *Rot. Claus: Rot. Pat.*
[15] ad *Lib. X.*—adeo *MS. Cott.*

[1] hold
[2] Inheritaunces which be holden
[3] *such Inheritances were*
[4] Kinsfolke
[5] certain
[6] thereof
[7] Not in Original.
[8] *Exile*
[9] Houses

Item Justiciar itinantes nō amcient de ceo villatas in Itine suo, p eo qđ singuli duodecim annoꝝ nō venint corā Vič & coronatoribꝫ, ad inquisicōnes de robberiis & incendiis aut aliis ad coronā sp^tantibꝫ faciend; dū tū de villis illis veniant sufficient p quos h^oi inquisicōnes plene fieri possint; exceptis inquisicōnibꝫ de morte hōis faciend ubi oēs duodecī annoꝝ venire debnt n^i rōnabilem causam absencie sue ħeant.

Murdrū de ceo nō adjudicet^r corā Justiciar, ubi infortuniū tm̄modo adjudicatū est: Set locū ħeat murdrū in infectis p feloniam & nō alit.

Provisum est insup qđ nullus corā Justiciar itinantibꝫ vocat^o ad [warentū [1]] in placito tre vt tenēniti, amciet^r de ceo p eo qđ psens nō fuit, qñ vocat^r ad warantū, excepto p^imo die advent^o Justič; set si warant^o ille sit inf^a comit tūc injūgat^r Vič qđ ipm inf^a ciū diem, vt quartū scđm locoꝝ distanciā, faciat venire sicut in itine Justič fī consuevit. Et si ext^a comit maneat tūc rōnabilem ħeat sumonicōem quindecī dieꝝ ad min^o scđm discrecōem Justič & legem cōem.

Si clicus aliquis p c^imine aliquo vt [recto [2]] qđ ad coronā ptineat [arestat^o [3]] fuit, & p^omođ de pcepto Regis in bathm t^adit^o vt replegiat^o extitit, Ita qđ hii quibꝫ t^adit^o fuit in balliū eū ħeant corā Justič; nō amcient^r de ceo illi quibꝫ t^adit^o fuit in balliū, vel alii plegii sui, si corpus suū ħeant corā Justič, licet corā eis ppt p^ivilegiū clicale responđe nolit vt nō possit (*).

Provisum est & qđ si depredacōnes vt rapine alique fiant abbibꝫ vel aliis platis ecc̄asticis, & ipi jus suū de h^oi depredacionibꝫ psequentes morte pvciant^r, añq^am inde justiciā fuint assecuti, successores eoꝝ accōnes ħeant ad bona ecc̄e sue, [recent ante obitū pdecessoꝝ suoꝝ p h^oi violenciā subt^acta,[5]] de manibꝫ h^oi t^nsgressoꝝ repetenda. [Similem insup accōem habeant successores de hiis que domui & eccle sue recent ante obitum pdecessoꝝ suoꝝ p h^oi violenciam fuint subt^acta, licet pdči pdecessores sui jus suū psecuti non fuint in vita sua.[6]]

Si aut in tras vt tenēnita h^oi religiosoꝝ, de quibꝫ eoꝝ plati obierint seysiti ut de jure ecc̄e sue, aliqui se intrudant tempe vacacōnis, eoꝝ successores litt^as ħeant ad recupand seys^am suam; & adjudicent^r eis dampna sua, sicut in nova disseys^a fieri consuevit.

Provisum est & qđ si alienacōnes ille de quibꝫ br̄e de ingressu dari consuevit, p tot gradus fiant qđ br̄e illud in forma p^ius usitata ħeri nō possit, ħeat conquerens br̄e de recupanda seys^a sine mencōne graduū, ad cuj^ocumq; man^o p h^oi alienacōnes res illa devenit, p (7) originalia p consiliū Regis inde pvidenda. (*a*)

[1] warantū *Rot. Claus.* [2] retto *Rot. Claus: Rot. Pat.*
[3] arrectatus *MS. Cott.*—arettat^o *Lib. X.*
[4] p ordinariis suis *Lib. X.*
[5] *Rot. Pat; Rot. Bodl; MS. Cott; Lib. X.* omit.
[6] From *Rot. Pat.—Lib. Rub. Scac.* omits.—*MS. Cott; Lib. X; Rot. Bodl;* many other Manuscripts, and all the Printed Copies insert this Clause.
[7] br̄ia *MS. Cott.*

THE Justices in Eyre from henceforth shall not amerce Townships in their Circuits, because all being Twelve Years old came not afore the Sheriffs and Coroners, to make Inquiry of Robberies, Burnings of Houses, or other Things pertaining to the Crown; so that there come sufficient out of those Towns, by whom such Enquests may be made full: except Enquests (') for the Death of Man, whereat all being Twelve Years of Age ought to appear, unless they have reasonable cause of Absence. XXIV. Concerning the Attendance of those of 12 Years old on Inquests.

[MURTHER [2]] from henceforth shall not be [judged [3]] before our Justices, where it is found Misfortune only: But it shall take place in such as are slain by Felony, and not otherwise. XXV. Fine of Murder.

IT is Provided, That none, being vouched to Warranty before our Justices in Eyre, in Plea of Land or Tenement, shall be amerced from henceforth, because he was not present when he was vouched to Warranty, except the first Day of the coming of the Justices: But if the Party vouched be within the Shire, then the Sheriff shall be commanded to cause him to come within the third or fourth Day, according to the Distance of the Place, as it was wont to be done in the Circuit of the Justices. And if he dwell without the Shire, then he shall have reasonable Summons of fifteen Days at the least, after the Discretion of the Justices, and the Common Law. XXVI. Of the Vouchee to Warranty's Appearance in Court.

IF a Clerk for any Crime or Offence touching the Crown, be arrested, and after, by the King's Commandment, let to bail, or replevied, so that they, to whom he was let to bail, have him before our Justices; the Sureties from henceforth, nor they to whom he was let to bail, shall not be amerced, if they have his Body before our Justices, although he will not answer before them, by reason of a Clerk's Privilege, nor cannot by reason of his Ordinary. XXVII. Of a Clerk's Bail, on his refusing to answer.

IT is Provided, That if any Wrongs or [Trespasses [4]] be done to Abbots, or other Prelates of the Church, and they have sued their Right for such Wrongs, and be prevented with Death before Judgement given therein; their Successors shall have Actions to demand the Goods of their Church (5) out of the Hands of such Trespassers. Moreover, the Successors shall have like Action for such Things as were lately withdrawn by such Violence from their House and Church, before the Death of their Predecessors, though their said Predecessors did not pursue their Right during their Lives. XXVIII. Prelates, &c. may prosecute for Wrongs done to their Predecessors.

And if any intrude into the Lands or Tenements of such Religious Persons in the Time of Vacation, of which Lands their [Predecessors [6]] died seised as in the Right of their Church, the Successors shall have a Writ to recover their Seisin; and Damages shall be awarded them, as in Assise of Novel disseisin is wont to be. and in Time of Vacation.

IT is Provided also, That if those Alienations, whereupon a Writ of Entry was wont to be granted, hap to be made in so many Degrees, that by reason thereof the same Writ cannot be made in the Form beforetimes used, the Plaintiffs shall have a Writ to recover their Seisin, without making mention of the Degrees, into whose Hands soever the same Thing shall happen to come by such Alienations, and that by an original Writ to be provided therefore by the Council of our Lord the King. XXIX. Writ of Entry in the Post.

[1] *to be made* [2] *The Fine of Murder*
[3] *adjudged* [4] Extortions
[5] *recently before the Death of their Predecessors, by such violence taken,*
[6] *Prelates*

(*a*) Et q; nolumus qđ a^is sup obvacōne pmissoꝝ de ceo possit se per ignoranciam excusar, seu q; pdče pvisiones & constitucōes ab aliquibꝫ tm̄ m^o verbales reputent^r ultius, sꝫ q; universa & singla dčt opera compleant^r de consilio platoꝝ & magnatū nr̄oꝝ, (') de mense in mēsem in Com̄ Hūdred & Wapentag [& [2]] in Cur Baronū pupplicent^r & ad utlitatē toci^o cōitatis Angt ab oībꝫ de ceo firmit observentur. Et si a^is dictis pviš (3) cōt^aire psūpserit volum^o qđ ipi [& vič nr̄i pdči [4]] tanq^a pcepti nr̄i cōtemptores & eaꝺm pviš & cōstitucōnū t^nsgrōres gravit puniant^r. Qđ si Vič pdci ad hoc nō sufficiant tūc nōia eoꝝ nob scire faciant, ut ipos, & pfatos Vič si in [p^imis [5]] necgligentes fuint vel remissi, puniri faciem^o put de jur fuit faciend: In cuj^o rei testimoñ &c. *Rot. Bodl.*

[1] pcipim^o firmit injungent qđ eed pvisiones & constituč p Vič nr̄os
[2] suis, n^c non [3] & ꝯstituč [4] p Vič nr̄os [5] pdčis
} *MS. Harl.* 493 A.

Many Manuscripts have a similar Form of Writ annexed to the Statute: but generally not quite so much at length.

STATUTES OF KING EDWARD THE FIRST.

Anno 3° EDWARDI, I. A.D. 1275.

Les premers Estatuz de Westmuster.*

THE STATUTES OF WESTMINSTER; THE FIRST.

THESE be the Acts of King Edward, Son to King Henry, made at Westminster at his first Parliament general after his Coronation, on the Monday of Easter Utas, the Third Year of his Reign, by his Council and by the assent of Archbishops, Bishops, Abbots, Priors, Earls, Barons, and [all] the Commonalty of the Realm, being thither summoned: Because our Lord the King had great zeal and desire to redress the State of the Realm in such Things as required Amendment for the common profit of Holy Church, and of the Realm: And because the State of the Holy Church had been evil kept, and the Prelates and Religious Persons of the Land grieved many ways, and the People otherwise intreated than they ought to be, and the Peace less kept, and the Laws less used, and the Offenders less punished, than they ought to be, by reason whereof the People [of the Land] feared the less to offend; the King hath ordained and established these Acts underwritten, which he intendeth to be necessary and profitable unto the whole Realm.

I. For the maintaining Peace and Justice.

FIRST the King willeth and commandeth, That the Peace of Holy Church and of the Land, be well kept and maintained in all points, and that common Right be done to all, as well Poor as Rich, without respect of Persons. And because that Abbeys and Houses of Religion [of the Land] have been overcharged, and sore grieved, by the resort of great Men and other, so that their Goods have not been sufficient for themselves, whereby they have been [greatly hindred [1]] and impoverished, that they cannot maintain themselves, nor such ([2]) Charity as they have been accustomed to do;

For the Ease of Religious Houses.

It is Provided, That none shall come to eat or lodge ([3]) in any House of Religion of any other's Foundation than of his own, at the Costs of the House, unless he be [required [4]] by the Governor of the House before his coming thither. And that none, at his own Costs, shall [enter and] come to lie [there [5]] against the Will of them that be of the House. And by this Statute the King intendeth not, that the Grace of Hospitality should be withdrawn from such as need; nor that the Founders of such [Monasteries [6]] should overcharge, or grieve them by their [often] coming. It is Provided also, that none high nor low, by colour of [Kindred, Affinity, or Alliance,[7]] or by any other occasion, shall course in [any [8]] Park, nor fish in [any [8]]

[1] *so abased* [2] *charge of*
[3] *or-rest* [4] *specially invited or requested*
[5] *in a House of Religion,* [6] *Houses*
[7] patent, specialty or other promise, *Ferrers* 1534.
[8] *another's*

Ex Lib. Rub. Scacc. Dublin'.

CES sunt les Establisemenz le Rey Edward, le fiz le Rey Henry, fez a Weymoster a son p̄mer parlement general apres son corounement, [apres [1]] la Cluse Paske lan de son Regne tierz, par son Conseil e par le assentement des Erceveskes, Eveskes, Abbes, Priurs, Contes, Barons, & la Cōmunaute de la tere ileokes somons: ¶ Pur ceo ke nostre Seygnur le Rey ad graunt volente & desir del Estat de son Reaume [adrescer,[2]] en les choses ou mestier est del amendement, e ceo pur le cōmun profit de Seint Eglise e del reaume; Et pur ceo q̄ lestat de Seint Eglise ad este maumene, e les Prelaz e les religious de la tere grevez en mulz de maūes, e le poeple autrement trete, e la pees meins garde, q̄ estre ne deust, e les leys mesusees e les meffesaunz meins puniz q̄ estre ne deussent; pur quei les genz doterent le meins a meffere; si ad le Rey ordine & establi les choses desuz escrites, q̄ il entent q̄ seient profitables e covenables a tut le Reaume.

¶ Enprimes veut le Rey e cōmaunde q̄ la pees de Seint Eglise e de la tere seit bien garde e meintenue en tuz poinz; e q̄ cōmune droiture seit fet a tuz, ausi bien a povres com as riches, saunz regard de nuly. ¶ Purceo q̄ les Abbeyes e les mesons de [Religious [3]] ont este sorchargez e greve malement, par la venue des g[a]unz genz e autres [q̄ bien ne sofiseient a eaus meismes receivre,[4]] par quei les religious sont issi abessez et enpoverez q̄ eles ne poūt sustenir eus meismes, ne la charge de la charite q̄ eles solient fere; pur ceo purveu est q̄ nuly vengne manger, herbig̃ ne gisir, en meson de Religion de autri avoeson q̄ de la sone, al cust de la meson, sil ne seit prie e requis especialment par le [goverur [5]] de la meson avaunt qil ivengne; e q̄ nul, a ses custages demeine, [vengne gisir desoremes en meson de Religion,[6]] en contre la volente de la meson. Et par ces estatuz ne entent pas le Rey q̄ grace de [especialte [7]] seit sostret a bosoingnus, [e [8]] q̄ les avouwez des mesons [ne [9]] puisent par lur venues sorkarker e destrure. ¶ Purveu est ensement q̄ nul g[a]nt ne petit par colur de [parente [10]] ou de [especialte,[11]] ou de autre [affinite [12]] ne par ([13]) acheson ne courge en autri parks, ne pesche en autri vivers, ne

[1] lendemain *Lib. Horn: MS. Cott. Claud. D. II.*
[2] redrescer *Lib. Scacc. Westm. X.* [3] Religion *Lib. X.*
[4] ke ben suffisaient a eus mesmes *Lib. Horn.*
ki bens suffisoient a eus meismes *Lib. X: Rot. Bodl. Lib. Nig. Æd. Chr. Dub:*
que lour biens ne suffisent a eux mesmes *Old Printed Copies.*
[5] governour *Lib. Horn.* [6] y entre *Lib. Horn.*
[7] hospitalite *Lib. Horn: Lib. X: MS. Cott: Lib. Nig: Rot. Bodl.*
[8] ne *Lib. Horn.* [9] les *Lib. Horn: MS. Cott.*
[10] patent *Rast.* 1565. *See Fleta, lib.* 3. *c.* 5. § 12.
[11] hospitalite *Rot. Bodl.* [12] affiance *MS. Cott.*
[13] autre *Lib. Horn.*

* This Title is from *Lib. Scac. Westm. X. fo.* xxj. (xxv.)

[herberge en autri maner, ne en meson [1]] de Prlat, de Home de Religion ne de autre, en contre la volente e le conge del Seygnur ou del baillif, al coust le Seygnur deleinz, ne a son coust demeine. Et si il vengne, ([2]) par le gre ou saunz le gre le Seygnur, ou le baillif, nule serure, huys, fenestre, ne nule manere de fermine ne face overir ne depescer, par sey ne par autre; ne nule manere de vitaille ne de autre chose ne prengne, par colur de achat ne autrement. ¶ E q̃ nul ne face batre ([3]) ne prendre ([4]) nule manere de vitaille ne autre biens de nuly Prelat, Home de Religion, persone ne de autre, ne de Clerk, ne de Lay, par colur de achat ne autrement encontre la bone volente ou le conge de celuy a ki la chose ꝥra, ou le gardein, dedenz vile marchaunde ou dehors. ¶ Et q̃ nul ne prengne chivaus, beofs, chars, charettes, niefs, ne bateus, a fere cariages, saunz la bone volente ou le conge de celuy a ki la chose serra, e si par la volente de celuy le face, lors meintenaũt face son gre solum le covenãt fet entre eaus. Et ceaus q̃ vendront encontre les [estatuz [5]] avauntdiz, e de ceo seient ateinz, seient ajugez a la prison le Rey, e de ileokes reinz solum la q̃ntite e la manere del trespas, solum ceo q̃ le Rey [ou [6]] sa Court verra q̃ bien seit. Et fet asavir q̃ si ceaus a ki le trespas est fete veillent suire, les damages q̃ il averunt eus, lor serra [regarde [7]] e returne al double, e ces q̃ les trespas averunt fet seient ([8]) puniz a la manere avauntdite; e si nul ne voudra suire, le Rey eit sa suite, com de chose fete encontre son defens e encontre sa pees. Et le Rey fra enquere de an en an, si com quidera q̃ bien seit, quele gent eient tel trespas fet, & ceaus q̃ serrunt enditez en tieles enquestes ꝥrunt atachez, & destreinz par la graunt destresce, de venir a un certein jour ke contenge le espace de un moys en la Court le Rey ([9]) la ou li plerra; e si ceaus ([10]) vengnẽt a tiel jour, seient destreinz derechief par mesme la destresce de venir a un ꝥtein jour q̃ contigne [seet [11]] sesmeins; Et si ceaus adunk ne vengnent seient jugez com ateinz, e rendent le double, par la suite le Rey, a ceaus q̃ le damage averont, e seient grevousement puniz solum la manere del trespas. ¶ Et le Rey defent e comaund q̃ nul desoremes ne face mal ne damage ne grevaunce a nul Home de Religion, ꝑsone de Seient Eglise, ne a autre, par acheson qil eyent [vye [12]] le hostel ou le mang̃ a nuly, ou par acheson de ceo q̃ aukũ se pleient en la Court de ceo qil sen sent greve de aukunes choses avauntdites, e si nul le face, e de ceo seit ateint, seit encoru en la peyne avauntdite. ¶ Et est porveu q̃ les poinz avaundiz lient ausi bien nos Conseillers, Justices de Forest, e nos autres Justič, come autre gent. ¶ Et q̃ les poinz avauntdiz seient [meuz tenuz [13]] e gardees, si defẽd le Rey sor sa greve forfeture, q̃ nul Prelat, Abbe, Home de Religion, ou Baillif de aukun de eaus, ([14]) ne receive nul home encontre la forme avauntdite. ¶ Et q̃ nul ne envoye a meson ne a maner de Religion, ne de autre home, genz, chivaus, ne chiens a sojorner, ne nul ne les receive; Et qi le fra, por ceo q̃ ceo est encontre le defens e le comaundement le Rey, il serra puni grevement. ¶ Unkore est porveu q̃ Viscontes ne herbergẽt [en nul liu [15]] oud plus q̃ oud cink ou sis

[1] ne veingne manger ne herbeger en meysoun ne en maner *Lib. Horn.*
[2] e entre *Lib. Horn: MS. Cott.*
[3] ble *Lib. Nig.*—bledz *MS. Cott.*
[4] ble ne *Lib. Horn: Lib. X*—bledz ne *MS. Cott.*
[5] establissementz *Lib. Horn.*
[6] en *MS Cott.*
[7] agardez *Lib. Horn.*
[8] ensement *Lib. Horn.*
[9] ou *Lib. Horn: MS. Cott.*
[10] ne *Lib. Horn.*
[11] sis *Lib. X:* vj. *Lib. Horn.*
[12] deniee *Lib. X: MS. Cott.*
[13] meintenuz *Lib. X.*
[14] ou autre *Lib. Horn.* / ou d'autre *Lib. X.*
[15] ove nullui *MS. Cott.*

Pond, nor come to eat or lodge in the House or Manor of a Prelate, or [any other Religious Person,[1]] against the Will or Leave of the Lord, or his Bailiff, neither at the cost of the Lord, nor at his own. And if he come in, or enter with the good Will, or against the Will of the Lord or his Bailiff, he shall cause no Door, Lock, nor Window, nor nothing that is shut, to be opened or broken, by himself, nor any other, nor no manner of Victual, nor other thing, shall take, by colour of buying, nor otherwise. And that none shall thrash Corn, nor take Corn, nor any manner of Victual, nor other Goods of a Prelate, Man of Religion, nor any other, Clerk, or Lay-Person, by colour of buying, or otherwise, against the Will and Licence of him to whom the Thing belongeth, or of the Keeper, be it within Market Town, or without. And that none shall take Horses, Oxen, [Ploughs, Carts,[2]] Ships, nor Barges, to make Carriage, without the Assent ([3]) of him to whom such Things belong; and if he do it by the Assent of the Party, then incontinent he shall pay according to the Covenant made between them. And they that offend against these Acts, and thereof be attainted, shall be committed to the King's Prison, and after shall make Fine, [and be punished] according to the quantity and manner of the Trespass, and after as the King in his Court shall think convenient. And it is to be known, that if they to whom such Trespass was done, will sue [for Damages, they shall be thereto received, and the same [4]] shall be awarded and restored to the double; and they that have done the Trespass, shall be likewise punished in the manner abovesaid; and if none will sue, the King shall have the Suit, as for a Thing committed against his Commandment, and against his Peace. And the King shall make Enquiry from year to year, what Persons do such Trespasses, after as he shall think necessary and convenient; and they that be indicted by such Inquests shall be attached and distrained by the great Distress, to come at a certain Day, containing the Space of a Month, into the King's Court, or where it shall please the King; and if they come not at that Day, they shall be distrained again of new by the same Distress, for to come at another Day, containing the Space of Six Weeks [at the least;[5]] and if they come not then, they shall be judged as attainted, and shall yield double Damages, at the King's Suit, to such as have taken Hurt or Damage, and shall make grievous Fine after the manner of the Trespass. And the King forbiddeth and commandeth, that none from henceforth do Hurt, Damage, or Grievance to any Religious Man or Person of the Church, or any other, because they have denied Meat or Lodging unto them, or because that any complaineth in the King's Court that he hath been grieved in any of the Things above mentioned; and if any do, and thereof be attainted, he shall incur the Pain aforesaid. And it is further Provided, that the Points aforesaid shall as well bind our Counsellors, Justicers of Forests, and other our Justices, as any other Persons. And that the aforesaid Points be maintained, observed, and kept; likewise the King forbiddeth upon grievous Forfeitures, that no Prelate, Abbot, Man of Religion, or Bailiff of any of them, or of other, receive any Man contrary to the Form aforesaid. And that none shall send to the House or Manor of a Man of Religion, or of any other Person, his Men, Horse, or Dogs, to sojourn, nor none shall them receive; and he that doth, seeing the King hath commanded the contrary, shall be grievously punished. Yet it is further Provided, that the Sheriff from henceforth shall not lodge with any Person, with any more

Purveyance of Victual.

Purveyance for Carriage.

Penalty on Offenders.

Action by the Party for the King.

Process against Offenders.

No Suit for denying Lodging.

To whom the Act shall extend.

Prelates, &c. restrained in lodging any.

Sending Servants, &c. to lodge.

Sheriff's Retinue.

[1] *Religious Person, or other,*
[2] *Carts, Waggons*
[3] *or Leave*
[4] *the Damage which they have received*
[5] Not in Original.

than five or six Horses; and that they shall not grieve Religious Men, nor other, by often coming and lodging neither at their Houses nor their Manors.

II. Delivery, to the Ordinary, of Clerks indicted.

IT is Provided also, That when a Clerk is taken [for guilty [1]] of Felony, and is demanded by the Ordinary, he shall be delivered to him according to the Privilege of Holy Church, on such Peril as belongeth to it, after the Custom aforetimes used. And the King admonisheth the Prelates, and enjoineth them upon the Faith that they owe to him, and for the common Profit and Peace of the Realm, that [they [2]] which be indicted of such Offences by solemn Inquest of lawful men in the King's Court, in no manner [shall be delivered [3]] without due Purgation, so that the King shall not need to provide any other Remedy therein.

III. No Fines for Escapes before Judgment.

IT is Provided also, That nothing be demanded nor taken from henceforth, nor levied by the Sheriff, nor by any other, for the Escape of a Thief or a Felon, until it be judged for an Escape by the Justices in Eyre; and he that otherwise doth, shall restore to him or them that have payed it, as much as he [or they have [4]] taken or received, and as much also unto the King.

IV. Wreck.

CONCERNING Wrecks of the Sea, it is agreed, That where a Man, a Dog, or a Cat escape quick out of the Ship, that such Ship nor Barge, nor any thing within them, shall be adjudged Wreck; but the Goods shall be saved and kept by view of the Sheriff, Coroner, or the King's Bailiff, and delivered into the hands of such as are of the Town where the Goods were found; so that if any sue for those Goods, and [after prove [5]] that they were his, (6) or perished in his keeping, within a Year and a Day, they shall be restored to him without delay; and if not, they shall remain to the King, and be seised by the [Sheriffs, Coroners, and Bailiffs,[7]] and shall be delivered to them of the Town, which shall answer before the Justices of the Wreck belonging to the King; And where Wreck belongeth to another than to the King, he shall have it in like manner. And he that otherwise doth, and thereof be attainted, shall be awarded to Prison, and make Fine at the King's Will, and shall yield Damages also. And if a Bailiff do it [and it be disallowed by the Lord,[8]] and the Lord [will not pretend any Title thereunto,[9]] the Bailiff shall answer, if he have whereof; and if he have not whereof, the Lord shall deliver his Bailiff's Body to the King.

Custody of Goods wrecked; for the Owner;

for the King.

Penalty on Offenders.

V. Freedom of Election.

AND because Elections ought to be free, the King commandeth upon great Forfeiture, that [no Man [10]] by Force of Arms, nor by Malice, or menacing, shall disturb any to make free Election. (11)

VI. Amerciaments shall be reasonable.

AND that no City, Borough, nor Town, nor any Man be amerced, without reasonable cause, and according to the quantity of his Trespass; that is to say, every Freeman saving his [Freehold,[12]] a Merchant saving his Merchandise, a Villain saving his Waynage, and that by his or their Peers.

VII. Purveyance for Castles.

OF Prises taken by Constables, or Castellains, upon such Folk as be not of the Town where the Castle is; It is Provided, That no Constable, nor Castellain, from henceforth [exact any Prise, or like thing,[13]] of any other than of such as be of [their Town or Castle;[14]] and that it be paid, or else Agreement to be made within Forty Days; if it be not an antient Prise due to the King, or to the Castle, or to the Lord of the Castle.

VIII. Beaupleader. [*See Stat. Marl.* 52 *H.* 3. *chap.* 11.]

AND that nothing be taken for Fair Pleading, as hath been prohibited heretofore in the time of King Henry, Father to our Lord the King that now is.

IX. Pursuit of Felons.

AND Forasmuch as the Peace of this Realm hath been [evil observed [15]] heretofore for lack of quick and fresh Suit making after Felons in due manner, and namely, because of Franchises, where Felons are received;

[1] *upon a charge* [2] *those*
[3] *shall they deliver* [4] *hath* [5] *can prove*
[6] or his Lord's, *MS. Tr.* 1. [7] *Sheriff and Coroner*
[8] and be disavowed of his Lord, *MS. Tr.* 1.
[9] { will not discharge him thereof, *Old Printed Copies.*
{ nabbe nougt therof idrawe to himsulf, *MS. Tr.* 1.
[10] no great Man nor other,
[11] *MS. Tr.* 1. *joins to this Sentence the Beginning of the next Chapter thus,* fre chuesinge, in Cite, ne in Boruz, ne in Toune. The sixte Chapittle, That no man be amercied, &c.
[12] Contenaunce *MS. Tr.* 1. [13] make any taking
[14] the Town where the Castle is; [15] weakly kept

Chivaus, ne q̃ il ne grevent la gent de Religion ne autres, par lour sovent venir ou gisir a lour Mesons ou a lour Maners.

¶ Porveu est ensement q̃ kaũt Clerk est pris por ret de felonie, e il seit demaunde p̃ le Ordinaire il lui seit livere solum le privilege de Seient Eglise, en tiel peril com il iapent, solũ les custumes avaunt ces oures usees; e le Rey amoneste les p̃laz, e lour enjoynt en la fei qil li deivent, e por le comun profit e la pees de la tere, q ceaus q̃ sunt enditez de tiel ret, par solempne enqueste des prodes homes fete en la Court le Rey, en nule manere ne les delivrent saunz duwe purgacion; issi q̃ le Rey neit mester de metre i autre remedie.

¶ Purveu est ensement q̃ nule rien ne seit dosoremes demaunde, ne pris ne leve, (') p' eschap de larun ou de felon, jeske ataunt q̃ le Eschap seit ajuge par Justices erraunz; e ky autrement le fra, si rendra a celuy ou a ceaus qi laveront paez q̃nt q̃il avera receu, e au Rey ensement ataunt.

¶ De Wrek de Mer est acorde, q̃ la ou home, chien, ou chat eschape vif hors de la Nief (2) ou le batel ou nule rien q̃ leinz seit, ne seit juge a Wrek, mes seient les choses sauvees e gardees, par veue del Visconte [e [3]] del Coruner [e [4]] des Bailliz le Rey, ([5]) en la main de ceaus de la Vyle, ou les choses sont trovez; issi q̃ si nul siwe ceus biens e puisse prover qil seient soens, ou a son Seygnur ou en sa garde periz, dedenz lan & le jour, saunz delay li seient renduz; Et si noun, remaigne au Rey, e seient prisez par le Visconte e le Coruner ([6]) a la vilee a respoundre devaũt Justices del Wrek q̃ apent au Rey; Et la ou Wrek apent a autre q̃ al Rey, si lait p̃ meime la manere. Et qi autrement le fra, e de ceo seit ateint, seit agarde a la prison e reint a la volente le Rey, e rendra les damages ensement: E si la Baillif le face, e seit desavowe del Seygn', e le Seygn' [ne ne otrie [7]] a luy, respoingne le Baillif si il ad de quei; Et sil nad de quei, rende le Seygn' le cors del Baillif al Rey.

¶ Pur ceo q̃ elections deivent estre fraunches, le Rey defent sour sa greve forfeture q̃ nul, haut home ne autre, par poer de armes ne par [malice [8]] ne desturbe de fere fraũche Election. ¶ Et q̃ [en [9]] nule Cite Burg ou Vile, ne nul home seit amercie saunz renable acheson, e solum la q̃ntite del trespas; ceo est asaver fraunk home sauve son contenemẽt, Marchaund sauve sa marchandise, Vilayn sauve son gaignage; e ceo par lour piers.

¶ Des Prises des Conestables ou Chasteleyns, fetes de autres q̃ de la Gent de la Vile ou les Chasteaus sunt assis, Purveu est q̃ nul Conestable ne Chasteleyn desoremes nule manere de prise ne face, dautre houme [q̃ de autre home [10]] q̃ de la Vile ou son Chastel est assis, e ceo seit paie ou gre fet dedenz quarante jours, si ceo ne seit aunciene prise due au Rey ou al Chastel ou al Seygnur del Chastel. ¶ Et q̃ nule rien seit pris p' beau pleyder, si com autre fiez fit defendu en le tens le Rey Henry piere le Rey q̃ ore est.

¶ Et pur ceo q̃ la pees de la tere ad este feblement garde avaunt ces oures, par defaute de bone suite fete sur les felons solum doue manere, e nomeement par acheson des fraunchises ou les felons sunt recettez;

[1] p̃ Viscunte ne par autre *Lib. Horn*: *Lib. X*: *Rot. Bodl.*
[2] q̃ la nef *Lib. Horn*: *MS. Cott.*
[3] ou *Lib. Nig.* [4] ou *Lib. X*: *Lib. Nig.*
[5] e baillez *Lib. Horn*: *Rot. Bodl.*
[6] e baillez *Lib. Horn*: *Rot. Bodl.*
[7] { rien nen atraie de ceo *Lib. Horn.*
{ rens ne otrie *Lib. X.*
{ rien nad tret *Lib. Nig.*—rien ad tret de ceo *Rot. Bodl.*
[8] manasce *Lib. Horn.*
[9] *Lib. Horn*; *Lib. X*; *MS. Cott.* omit this word.
[10] An erroneous Repetition.

Purveu est q̃ tuz cõmunaumẽt seient prez & aparaillez, al maundemẽt e a la somonse des Viscontes, ou au cri del pays, de suire e de arester le' felõs q'nt mester serra, ausi bien dedenz fraunchises cum dehors: Et ces q̃ ceo ne frũt, e de ceo seient ateinz, le Rey prendra a eus grevement: Et si la defaute seit trove sor le Seygn' de la fraunchise, le Rey se prendra a meime la fraunchise; e si la defaute seit al baillif eit la prison de un an, e puis seit grevement reint; e si il nad de quei, eit la prison de deus aunz.

¶ Et si Visconte (') ou autre Baillif, dedenz fraunchises ou dehors, pur louer ou par priere, ou par nule manere de affinite, concelent ou consentent, ou procurent de conceler, les felonies fetes en lour baillies, ou ke il se feignent de arestier ou de atacher les meffesaunz, par la ou il purront, ou autrement se feingnẽt de fere lur office, [e [2]] nule manere de favor des meffesaunz, e de ceo seient ateinz, q̃ il eient la prison de un an, e puis seient g'vemẽt reinz, e si il ne unt de quei, eiẽt la p'son de [quatre [3]] aunz.

¶ Pur ceo q̃ petit gent e meins sages sunt esluz ia de novel cõmunaumẽt al office de Coruner, e mestier serreit q̃ prodes homes leaus & sages se intremeisent de cel office; Purveu est q̃ par tuz les Contiez seient esluz suffisaunz Coruners des pl⁹ leals e plus sages Chivalers, q̃ meus sachent, veillent, e puissent a cel office entẽdre, e q̃ loiaument attachent & [rep⁹sentent les appeaus [4]] de la Corune, e les Viscõtes eient contreroules ove les Coruners, ausi bien des appeaus com des enquestes attachemenz & autres choses q̃ a cel Office appendent. Et q̃ nul Coroner rien ne demaunde ne prenge de nuli, por fere son office, sur peine de la greve forfeture le Rey.

¶ Et pur ceo q̃ plusurs rettez de mort de home, e q̃ sunt copables de mesme la mort, se sont par favorables enquestes prises par Viscontes e par bref le Rey kest appele Odio & Atia repleviz jeskes al Ayre des Justices erraunz; Purveu est q̃ celes enquestes seient [des Coruners [5]] prises par prodes homes eluz par ⁹smẽt, dount les deus seient Chivalers al meins, q̃ par nul affinite ne atouchent les p'sõs, ne autrement ne seient [sustenuz.[6]]

¶ Purveu est ensement q̃ les felons escriez e q̃ sont aptement de male fame, e ne se voillent mettre en enquestes des felonies, [q̃ Um les met sure [7]] devaunt Justices a la suite le Rey, [q̃ il seient remis [8]] en le prison forte & dure, come ceaus q̃ refusent (9) la cõmune ley de la tere: Mes ceo nest mie a entendre por p'sons q̃ sunt pris pur legiere suspeciun.

¶ Et le Rey defent q̃ nul ne ravie ne prenge a force damoysele dedenz age [ne par son gre ne saun son gre, ne dame ne damoisele de age,[10]] ne autre femme maugre seon; e si nul le fet, a la suite celi q̃ suiwera dedenz les q'rante jours, le Rey en fra comune dreyture: Et si nul ne comence sa suite dedenz quarante jours, le Rey en siwera; e ces qil entrovera copables, si averont la p'son de deus aunz, e puis serrũt reinz a la volente le Rey: Et sil ne unt dount estre reinz a la volente le Rey si seient puniz par plus long p'son, solum ceo q̃ le trespas le demande.

[1] ou Coroner *Lib. X.* [2] en *Lib. X.*
[3] iij. *MS. Cott: Rot. Bodl.* wherewith the Printed Copies agree. *Lib. X: Lib. Nig: Lib. Horn,* agree with the Text.
[4] { rep⁹sentent les plees *Lib. X.* / presentent les ples *Lib. Nig: Rot. Bodl.*
[5] desoremes *Lib. X.* [6] suspecinous *Lib. X.*
[7] ke hom lur mettent sure *Lib. X.*—ke lem lur met sur *Lib. Nig: Rot. Bodl.*—que lem les mettent sure *Lib. Horn.*—que lem lui mette suire *MS. Cott.*—que homes met sur eux 2 *Inst.*—qi home les met seur *Pyns.* 1508.—q̃ home leur met seur *Tot.* 1556.
[8] soient mys *MS. Cott.: Printed Copies.*
[9] estre a *Lib. X: MS. Cott.* [10] These words are omitted in *Lib. Rub. Scacc. Dublin*: They are inserted above from *Lib. Scacc. Westm. X.* wherewith *MS. Cott; Rot. Bodl: Lib. Nig; Lib. Horn;* several other MSS. and all the Printed Copies agree.

It is Provided, That all generally be ready and apparelled, at the commandment and summons of Sheriffs, and at the Cry of the Country, to [sue '] and arrest Felons, when any need is, as well within Franchise as without; and they that will not so do, and thereof be attainted, shall make a grievous Fine to the King: And if default be found in the Lord of the Franchise, the King [shall take the same Franchise to himself;[2]] and if default be in the Bailiff, he shall have one Year's Imprisonment, and after shall make a grievous Fine; and if he have not whereof, he shall have Imprisonment of Two Years. And if the Sheriff, Coroner, or any other Bailiff, within such Franchise or without, for Reward, or for Prayer, [or for Fear [3]] or for any manner of Affinity, conceal, consent, or procure to conceal, the Felonies done in their Liberties, or otherwise [will not attach nor [4]] arrest such Felons there, as they may, or otherwise [will not do [5]] their Office for Favour borne to such Misdoers, and be attainted thereof, they shall have one Year's Imprisonment, and after make a grievous Fine [at the King's pleasure, if they have wherewith;] and if they have not whereof, they shall have Imprisonment of [three [6]] Years. Punishment for Neglect or Corruption in Officers.

X. Who shall be chosen Coroners.

AND Forasmuch as mean Persons, and undiscreet, now of late are commonly chosen to the Office of Coroners, where it is requisite that persons honest, lawful, and wise, should occupy such Offices: It is Provided, That through all Shires sufficient Men shall be chosen to be Coroners, of the most wise and discreet Knights, which know, will, and may best attend upon such Offices, and which lawfully shall attach and present Pleas of the Crown; and that Sheriffs shall have Counter-Rolls with the Coroners, as well of Appeals, as of Enquests, of Attachments, or of other Things which to that Office belong; and that no Coroner demand nor take any thing of any Man to do his Office, upon pain of great Forfeiture to the King. Their Duty.

XI. Inquests of Homicide.

AND Forasmuch as many being [indicted [7]] of Murder, and culpable of the same, by favourable Inquests taken by the Sheriff, and by the King's Writ [of [8]] Odio & Atia, be replevied unto the coming of the Justices in Eyre; It is Provided, That from henceforth such Inquests shall be taken by lawful Men chosen out by Oath, of whom Two at the least shall be Knights, which [by [9]] no affinity with the Prisoners, nor otherwise are to be suspected.

XII. Felons refusing to plead.

IT is Provided also, That notorious Felons, and which openly be of evil name, and will not put themselves in Enquests of Felonies, that Men shall charge them with before the Justices at the King's Suit, [shall have [10]] strong and hard Imprisonment, (") as they which refuse to stand to the common Law of the Land: But this is not to be understood of such Prisoners as be taken [of [12]] light suspicion.

XIII. Ravishment of Women

AND The King prohibiteth that none do ravish, nor take away by force, any Maiden within Age, neither by her own consent, nor without; nor any Wife or Maiden of full Age, nor any other Woman, against her Will; and if any (13) do, at his Suit that will sue within Forty Days, the King shall do common right; and if none commence his Suit within Forty Days, the King shall sue; and such as be found culpable, shall have Two Years Imprisonment, and after shall fine at the King's Pleasure; and if they have not whereof (14) they shall be punished by longer Imprisonment, according as the Trespass requireth.

[1] pursue
[2] shall take him to the said Franchise;
[3] Not in Original; nor in Old Translations.
[4] do forbear to attach or [5] to do
[6] four *MS. Tr.* 1. [7] *accused*
[8] *called* [9] *have*
[10] shall be sent back to [11] *like*
[12] for [13] so *MS. Tr.* 1.
[14] *to be fined at the King's pleasure*

XIV. Proceedings in Appeal against Principal and Accessary.

AND Forasmuch as it hath been used in some Counties to outlaw Persons being appealed of Commandment, Force, Aid, or Receipt within the same Time that he which is appealed for the Deed, [is [1]] outlawed; It is Provided and [commanded [2]] by the King, That none be outlawed upon Appeal of Commandment, Force, Aid, or Receipt, until he that is appealed of the Deed be attainted, so that one like Law be used therein through the Realm: Nevertheless he that will so appeal, shall not, by reason of this, intermit or leave off to commence his Appeal at the next County [against them, no more than against their Principals, which be appealed [3]] of the Deed; but their Exigent shall remain, until such as be appealed of the Deed be attainted by Outlawry, or otherwise.

XV. Prisoners and Bail.

AND Forasmuch as Sheriffs, and other, which have taken and kept in prison Persons [detected [4]] of Felony, and [incontinent [5]] have let out by Replevin such as were not replevisable, and have kept in Prison such as were replevisable, because they would gain of the one party, and grieve the other: And Forasmuch as before this Time, it was not ([6]) determined which Persons were replevisable, and which not, but only those that were taken for the Death of Man, or by Commandment of the King, or of his Justices, or for the Forest; It is Provided, and by the King commanded, That such Prisoners as before were outlawed, and they which have abjured the Realm, Provors, and such as be taken with the Manour, and those which have broken the King's Prison, Thieves openly defamed and known, and such as be appealed by Provors, so long as the Provors be living, if they be not of good name, and such as be taken for House-burning feloniously done, or for false Money, or for counterfeiting the King's Seal, or Persons excommunicate, taken at the request of the Bishop, or for manifest Offences, or for Treason touching the King himself, shall be in no wise replevisable by the common Writ, nor without Writ: But such as be indicted of Larceny, by Enquests taken before Sheriffs or Bailiffs by their Office, or of light Suspicion, or for Petty Larceny that amounteth not [above the Value [7]] of twelve-pence, if they were not [guilty [8]] of some other Larceny aforetime, or [guilty [9]] of Receipt of Felons, or of Commandment, or Force, or of Aid in Felony done; or [guilty of [10]] some other Trespass, for which one ought not to lose Life nor Member, and a Man appealed by a Provor after the death of the Provor, if he be no common thief, nor defamed, shall from henceforth be let out by sufficient Surety, whereof the Sheriff will be answerable, and that without giving aught of their Goods. And if the Sheriff, or any other, let any go at large by Surety, that is not replevisable, if he be Sheriff or Constable or any other Bailiff of Fee, which hath keeping of Prisons, and thereof be attainted, he shall lose his Fee and Office for ever: And if the Under-Sheriff, Constable, or Bailiff of such as have Fee for keeping of Prisons, [do it [11]] contrary to the Will of his Lord, or any other Bailiff being not of Fee, they shall have Three Years Imprisonment, and make Fine at the King's Pleasure. And if any withhold Prisoners replevisable, after that they have offered sufficient Surety, he shall pay a grievous Amerciament to the King; and if he take any Reward for the Deliverance of such, he shall pay double to the Prisoner, and also shall [be in the great mercy of [12]] the King.

Offenders not bailable.

Offenders bailable.

Penalty for unlawful Mainprise.

Penalty for unjust Detention of Prisoners.

[1] *should be*
[2] granted
[3] as well against them, as against them which be appealed
[4] *accused*
[5] divers times
[6] certainly *MS. Tr.* 1.
[7] the value *MS. Tr.* 1.
[8] *accused*
[9] such as are accused
[10] charged with
[11] *so do*
[12] pay a grievous Amerciament to

¶ Pur ceo q̃ um lad usee de utlaer, en aukun pays, la gent appellee del comaundemēt, force, aide, e recettement, dedenz mesme le ꝑme q̃ um deit utlaer celui qest appele del fet, Purveu est, e g[a]unte par le Rey, q̃ nul ne seit utlae pur appel del cōmaundemēt, force, aide ou recettemēt, jesqes ataunt q̃ li appele del fet seit ateint; issi q̃ une mesme ley seit de ceo par tote la tere; mes celi q̃ apele ne lesse pas pur ceo de attacher son appel, al ꝑchein Conte, vers ceaus ausi bien com vers les appellez del fet, mes le exigende de eaus demeorge jesqes a taunt q̃ les appelez del fet seient ateinz par utlagherie ou autrement.

¶ Pur ceo q̃ les Viscontes & autres [qi [1]] unt pris e detenue en p[r]son genz rettez de felonies, & meinte foiz ont lesse ([2]) la gent q̃ ne sunt mie replevisables, e ont detenuz en prison ceaus q̃ estoient replevisables, par acheson de gaigner des uns & de grever les autres; Et p[r] ceo q̃ avaunt ces ures ne fu mie [ꝑmine [3]] ꝺteinemēt queus furent replevisables & queus noun, horspris ceaus q̃ estoient pris por mort de home, ou par cōmaundement le Rey ou des ses Justices, ou por la Foreste; Purveu est & comaunde par le Rey, q̃ les prisons q̃ sunt avaunt utlagez, & ceus q̃ eient forjure la tere, Provurs, toz q̃ sunt pris ov meinoure, ceaus q̃ unt depesce la p[r]son le Rey, larons apertement escriez e notoyres, e ceus q̃ sont appellez de provurs taunt come le ꝑvur vist, sil ne seient de bone fame, e ces q̃ sont pris pur arson ([4]) felonessement fete, ou p[r] fause moneye, ou fauseors del seel le Rey, ou [escomenge [5]] pris par priere le Eveske, ou pur aperte mauveiste, ou treson q̃ touche le Rey mesme, ne seient en nule maꝺe replevisables, par le cōmun bref ne saunz brief; mes ceaus q̃ soient enditez de larcin, par enqueste des Viscontes ou des Bailliz prises de lur office, ou pur legiere suspecion, ou pur petit larcin q̃ ne amonte [a la value [6]] de duze deners, sil ne seit rette [de larcin [7]] avaunt cel houre, ou rette de recettement des felons ou del comaundement, ou de la force ou del aide ([8]) fete, ou [des autres des trespas [9]] pur le quel om ne deit ꝑdre vie ne membre; Et home appelle de provur, puis la mort le provur, [sil ne seit apert laron escrie, seit desoremes lesse [10]] par suffisaunte plevine, dont le Visconte veille respondre, & ceo saunz rien doner de lour. Et si Viscontes ou autres lessent par plevine nul q̃ ne seit replevisable, si ceo seit Visconte Conestable ou autre Baillif de feo q̃ eit garde des p[r]sons, e de ceo seit ateint, perde le feo & la baille a toz jours: Et si [Visconte,[11]] Conestable ou Baillif, [ou [12]] celi qad cel feo pui garder les p[r]sons, eit ceo fet saunz la volente son Seygn[r], ou autre Baillif q̃ ne seit de feo, eit la p[r]son de treis aunz & seit reint a la volente le Rey. E si nul detient les prisons replevisables, puis q̃ le prison eit offert soffisaunte seurte, il serra en la greve ꝺci le Rey: Et si il prent louer por le deliverer, il rendra le double al prison, e ensement serra en la g[r]ve merci le Rey.

[1] *Lib. X.* omits.
[2] ꝑ plevine *Lib. X.*
[3] deꝑmine *Lib. X.*
[4] de mesun *Lib. X.*
[5] escūmegez *Lib. X.*
[6] { outre xij deniers ou a la value *Lib. Nig.*
{ utre la value *Lib. X: MS. Cott: Rot. Bodl: Lib. Horn.*
[7] dautre larcin *Lib. X.*
[8] de felonie *Lib. X.*
[9] { autre rettez de trespas *Lib. X.*
{ rettes dautres tresspas *MS. Cott.*
[10] si tuz ceus ne seient apert laruns escriez, seient desoremes lessez *Lib. X: Lib. Nig.*
[11] Suz Visconte *Lib. X: MS. Cott: Rot. Bodl.*
[12] *MS. Cott; Printed Copies* omit.

¶ Endreit de ceo q̃ aukunes gens ꝑnent e prendre font les avers de autri e les enchacent hors del Conte ou les avers serront pris; Purveu est q̃ nul ne le face, e si nul le fet, seit grevement reint solum q̃ il est contenu en les statuz de Marlebirge, fez en tens le Rey Henri piere le Rey q̃ ore est: Et par mesme la manere seit fet de ceaus q̃ pernent les avers e q̃ font destresce en autri feo, (1) plus grevement seient puniz si la manere del trespas le demande.

¶ Purveu est ensemēt q̃ si nul desoremes prengne les avers de autri, e les face chacier a Chastel ou a forcelet, e ileokes dedenz le clos del Chastel ou del forcelet les deteingne encontre gage & plegge, puis q̃ les avers sont solempnement demaunde par le Visconte ou par autre Baillif le Rey, a la suite del pleintif, q̃ le Visconte ou le Baillif, pris ove lui poar de son Conte ou de sa baillie, voyst asayer de fere la plevine des avers a celui q̃ pris les avera, ou a son Seygn^{r}, ou as autres des homes son Seygn^{r} qi onqes seit trove (2) ou les avers serrunt chacez, e si lem (3) deforce adonkes la deliveraunce des avers, ou kil ne troesse home pur le Seygn^{r}, ou pur celuy q̃ les avera pris, qi enrespoingne e face la deliverance, apres ceo q̃ Seygn^{r} [al[4]] ꝑnur par Visconte ou par Baillif en serra amoneste, sil est en pais ou pres ou kil porra par le pernur ou par autre des seons covenablement estre garniz de fere la deliveraunce, sil fust hors de cel pais q^{n}t la prise fu fete, e [enface[5]] adonkes meintenaunt les avers deliverer, q̃ le Rey por le despit & por le trespas face a batre le Chastiel ou le forcelet saunz relever, e tut le damage q̃ le pleintif avera receu, de ses a͛s ou de son gaingnage desturbe, ou en autre manere, puis la ꝑmere demaunde des a͛s fete par le Visconte ou par le Baillif, li seient restorrez al double de celui qi les avera pris sil ad de quei; Et si nad de quei, del Seygnur, quel oure ou en quele mañe la deliveraunce seit fete, apres ceo q̃ le Visconte ou le Baillif serra venu pur la deliveraunce fere; Et fet asaver q̃ la ou le Visconte devera fere return del brief le Rey, al Baillif le Seygn^{r} del chastel ou del forcelet, ou a autre a qi le return del brief le Rey a ceo apent, Si le Baillif de cele fraunchise ne face la deliveraunce puis qil [levera receu, eit le Visconte cel office[6]] saunz delai, si com il est avauntdit e sur lavauntdite peine. Et par mesme la manere seit fet la deliveraunce par attachemenz de pleinte fete saunz brief, e sur mesme la peine; e ceo fet a entendre partut la ou le brief le Rey curt. Et si ceo est en la marche de Gales, ou aillurs la ou le brief le Rey ne curt mie, le Rey, qi en est soverein Seygn^{r}, enfra dreit a ceaus q̃ pleinde se voudront.

¶ Purceo q̃ la cōmune fin e le amerciement de tut le Conte en Eyr de Justices, pur faus jugement ou por autre trespas, est assis par Viscontes (7) barators des Contez malement, ensint q̃ la [somunse[8]] est meinte foiz encrue e les parceles autremēt assises q̃ estre ne deussent, al damage del people, & plusors foiz paie as Viscontes barretors q̃ point ne les aquitent; Purveu est, e voet li Reys, q̃ desoremes en Eyre des Justices, devaunt eaus avaunt lor departir, seit [cele somonse[9]] assise par serement des Chivalers e des prodes hōmes sor tuz ceaus q̃ eskoter ideveront; e Justices

[1] e *Lib. X.* [2] al liu *Lib. X.*
[3] li *Lib. X.* [4] ou *Rot. Bodl: Printed Copies.*
[5] ne face *Lib. X.*
[6] aura le retour, face le viscont de son Office *Lib. X.*
[7] & *MS. Cott:* & p autr̃ *Rot. Bodl.*
[8] soume *Lib. X.* [9] tele soume *Lib. X.*

IN Right thereof, that some Persons take, and cause to be taken, the Beasts of other, chasing them out of the Shire where the Beasts were taken; It is Provided also, That none [from henceforth] do so; and if any do, he shall make a grievous Fine, as is contained in the Statute of Marlebridge, made in the Time of King Henry, Father to the King that now is. And likewise it shall be done to them which take Beasts [wrongfully,] and distrain out of their Fee; and shall be more grievously punished, if the manner of the Trespass do so require.

XVI. None shall drive a Distress out of the County; [*See Stat. Marlb. ch.* 4, 15,] nor distrain out of his own Fee.

IT is Provided also, That if any from henceforth take the Beasts of other, and cause them to be driven into a Castle or Fortress, and there within the Close of such Castle or Fortress do withhold them against Gage and Pledges, [whereupon[1]] the Beasts be solemnly demanded by the Sheriff, or by some other Bailiff of the King's, at the Suit of the Plaintiff, the Sheriff or Bailiff, taking with him the Power of [the[2]] Shire or Bailiwick, do assay to make Replevin of the Beasts from him that took them, or from his Lord, or from other, being Servants of the Lord, whatsoever they be, that are found in the Place whereunto the Beasts were chased; (3) if any deforce him of the Deliverance of the Beasts, or that no Man be found for the Lord, or for him that took them, for to answer and make the Deliverance, after such time as the Lord or Taker shall be admonished to make Deliverance by the Sheriff or Bailiff, if he be in the Country, or near, or there whereas he may be conveniently warned by the Taker, or by any other of his, to make Deliverance, if he were out of the Country when the taking was, and did not cause the Beasts to be delivered incontinent, [that[4]] the King, for the Trespass and Despite, shall cause the said Castle or Fortress to be beaten down without Recovery; and all the Damages that the Plaintiff hath sustained in his Beasts, or [in[5]] his [Gainure,[6]] or any otherwise, after the first Demand made by the Sheriff or Bailiff, of the Beasts, shall be restored to him double [by the Lord, or] by him that took the Beasts, if he have whereof; and if he have not whereof, he shall have it of the Lord, at what time, or in what manner the Deliverance be made. after that the Sheriff or Bailiff shall come to make Deliverance; and it is to wit, that where the Sheriff ought to return the King's Writ to the Bailiff of the Lord of the Castle or Fortress, or to any other, to whom the Return (7) belongeth, if the Bailiff of the Franchise will not make Deliverance after that the Sheriff hath made his Return unto him, then shall the Sheriff do his Office without further Delay, (8) and upon the foresaid Pains: And in like manner Deliverance shall be made by Attachment of Plaint made without Writ, and upon the same Pain. And this is to be intended in all Places where the King's Writ lieth. And if that be done in the Marches of Wales, or in any other Place, where the King's Writs be not current, the King, which is Sovereign Lord over all, shall do Right there unto such as will complain.

XVII. The Remedy if a Distress be impounded in a Castle or Fortress.

Marches of Wales.

FORASMUCH as the common Fine and Amerciament of the whole County in Eyre of the Justices for false Judgments, or for other Trespass, is unjustly assessed by Sheriffs and Baretors in the Shires, so that the Sum is many times increased, and the Parcels otherwise assessed than they ought to be, to the Damage of the People, [which[9]] be many Times paid to the Sheriffs and Baretors, which do not acquit the Payers; It is Provided, and the King wills, That from henceforth such Sums shall be assessed before the Justices in Eyre, afore their Departure, by the Oath of Knights and other honest Men, upon all such as ought to pay (10); and the Justices,

XVIII. Assessing of common Fines on the County.

[1] after that *MS. Tr.* 1. [2] his *MS. Tr.* 1.
[3] and *MS. Tr.* 1. [4] then
[5] *in disturbance of* [6] tulthe *MS. Tr.* 1.
[7] *of the King's Writ in this behalf* [8] *as is aforesaid*
[9] and *MS. Tr.* 1. [10] *thereto*

shall cause the Parcels to be put into their Estreats, which shall be delivered up unto the Exchequer, and not the whole Sum.

XIX Sheriffs, &c. receiving the King's Debts shall acquit the Debtor.

IN Right of the Sheriffs, or other, which answer by their own Hands unto the Exchequer, and which have received the King's Father's Debts, or the King's own Debts before this time, and have not acquitted the Debtors in the Exchequer; It is Provided, That the King shall send good and lawful Men through every Shire, to hear all such as will complain thereof, and to determine the Matters [there [1]] that all such as can prove that they have (2) paid, shall be thereof acquitted for ever, whether the Sheriffs or other be living or dead, in a certain Form that shall be delivered them; and such as have not so done, if they be living, shall be grievously punished; and if they be dead, their Heirs shall answer, and be charged with the Debt. And the King hath commanded, that Sheriffs and other aforesaid shall from henceforth lawfully acquit the Debtors at the next Accompt after they have received such Debts; and then the Debt shall be allowed in the Exchequer, so that it shall no more come in the Summons; and if the Sheriff otherwise do, and thereof be attainted, he shall pay to the Plaintiff thrice as much as he hath received, and shall make Fine at the King's Pleasure. And let every [Sheriff] take heed, that he have such a Receiver, for whom he will answer; for the King will be recompensed of all, of the Sheriffs and their Heirs. And if any other, that is answerable to the Exchequer by his own hands so do, he shall render thrice so much to the Plaintiff, and make Fine in like manner. And that the Sheriffs shall make Tallies to all such as have paid their Debt to the King; and that the Summons of the Exchequer be shewed to all Debtors that demand a Sight thereof, without denying to any, and that [without taking any Reward, and without giving any Thing;[3]] and he that doth contrary, the King shall punish him grievously.

Penalty.

Tallies of Payment.

Shewing of Summons.

XX. Trespassers in Parks and Ponds.

IT is Provided also for Trespassers in Parks and Ponds, That if any be thereof attainted at the Suit of the Party, great and large Amends shall be awarded [according to [4]] the Trespass, and shall have three Years Imprisonment, and after shall make Fine at the King's pleasure, if he have whereof, and then shall find good Surety, that after he shall not commit like Trespass; and if he have not whereof to make Fine, after three Years Imprisonment, he shall find like Surety; and if he cannot find like Surety, he shall abjure the Realm; and if any being [guilty [5]] thereof be fugitive, and have no Land nor Tenement sufficient, whereby he may be justified, so soon as the King shall find it by Enquest, he shall be proclaimed from County to County; and if he come not, he shall be outlawed. It is Provided also and agreed, That if none do sue within a Year and a Day [for [6]] the Trespass done, the King shall have the Suit; and such as be found guilty thereof by lawful Enquest, shall be punished in like manner in all points as above is said. And if any such Trespasser be attainted that he hath taken [tame Beasts,[7]] or other Thing, in the Parks, by manner of Robbery, in coming, tarrying, or returning, let the Common Law be executed upon him, as upon him that is attainted of open Theft and Robbery, as well at the Suit of the King, as of the Party.

Robberies therein.

XXI. Lands in Ward shall be duly kept.

IN Right of Lands of Heirs being within Age, which be in Ward of their Lords; It is Provided, That the Guardians shall keep and sustain the Land, without making Destruction of any Thing; and that of such manner of Wards shall be done in all Points, as is contained in the Great Charter of Liberties made in the Time of King Henry, Father to the King that now is, and that it be so used from henceforth; and in the same manner shall Archbishopricks, Bishopricks, Abbacies, Churches, and all Spiritual Dignities be kept in Time of Vacation.

[1] *thus*
[2] *so*
[3] *without any Gift*
[4] after the manere of *MS. Tr.* 1.
[5] *accused*
[6] after *MS. Tr.* 1.
[7] { beasts, deare, *F.* 1534. / tame best, *MS. Tr.* 1.

[fac - -[1]] mettre les parceles en lur estretes qil liveront al Escheker (2) non pas la [somõse[3]] totale.

¶ Endreit des Viscontes e autres q̃ respoingnēt par lour mayns al Escheker, e qi unt receu de les dettes le Rey Henri piere le Rey q̃ ore est (4) e q̃ ne ont mie les detturs aquite al Escheker; Purveu est q̃ le Roy enveyra bone genz par tuz les Contez, a oyr tuz i ceaus q̃ de ceo pleindre se vodront, e a ꝑminer enssint la bosoygne, q̃ ceaus q̃ purrūt mostrer qil eyent ensint paiez, a tuz jours enseront quites, le qꝛ q̃ les Viscontes ou autres serront morz ou vifs en ꝯteine fourme q̃ lur serra baille: Et ceaus q̃ issint [laverunt[5]] fet, sil seient envye, serront puniz grevement, e si il seient morz lour heyrs respoingnēt e seient chargez de la dete. Et comaund̄ le Rey q̃ les Viscontes e les autres avaundiz desoremes loiaument aquitēt les detturs al prochein acounte puis q̃ il avera la dette receu e adonkes seit la dette alous al Escheker issi q̃ mes ivengne en somonse: Et si Visconte autrement le face e de ceo seit ateinz, si rendra al pleintif le trebble de ceo qil avera de lui receu, e seit reint a la volente le Rey. Et bien se garde chekun qil eit tiel recevour por qi il voudra respondre, kar le Rey se prēdra del tut as Viscontes & a lur heyrs. Et si autre q̃ respoingne par sa mayn al Escheker la face, si rende le treble al pleintif e seit reint en mesme la manere. Et q̃ les Viscontes facent tailles a tuz ceaus q̃ li paeront la dette le Rey, e q̃ la somonse del Escheker, a tuz les detturs q̃ demaunder voudront la veue, lor face mostrer, saūz [vier[6]] le anuli, e ceo saunz rien doner, e ki nel fra le Rey se prendra a li grevousement.

¶ Purveu est de Meffesors de Parks & de Vivers, q̃ si nul seit de ceo ateint par la suite le pleintif, seient esgarde bones & hautes amendes solum la manere del trespas, e (7) la ꝑson de treys aunz, e de illoekes seit reint a la volente le Rey, sil ad dont estre issint reint, e lors truisse bone seurte q̃ mes ne meffface; et sil nad dont estre reint, apres la ꝑson de treis aunz, trove mesme la seurte; Et sil ne puisse trover la seurte, forjurge le reaume; Et si nul de ceo seit rette, seit futif, e ne eit tere ne tenement (8) par quei il puisse estre justize, si tost come le Rey avera ceo trove par enqueste bone seit demaunde de Counte en Counte; Et si nul ne veut venir, seit utlae. Et purveu est q̃ si nul ne suit dedenz lan e le jour puis le trespas fet, le Rey avera la suite. Et ceaus q̃ il entrovera rettez de ceo par bone enqueste, serront puniz par mesme la manere en tuz poinz si com desus est dit. Et si nul tiel meffesor seit ateint qil eit pris en parks bestes [damasches[9]] ou autre chose en manere de Roberie en venaunt ou en demoraunt ou en returnaunt seit fet de lui cōmune lei, com afiert a celui q̃ est ateint de aperte roberie e larcin ausi bien a la suite le Rey come de autre.

¶ Endreit des teres des heyrs dedenz age q̃ sont en la garde lur Seygnur, Purveu est q̃ les gardeins les gardent & sustengnent saunz destruction fere en tote riēs; Et q̃ (10) tels maneres de gardes seit fet en tuz poinz, solum ceo q̃ il est contenu en la Graunt Chartre des fraunchises le Rey Henri piere le Rey q̃ ore est, e issi seit usee desoremes; e par mesme la manere seient gardez les Ercheveschees, Eveschees, Abbeyes, Eglises, & Dignetiez en tens de Vacacions.

[1] i facent *Lib. X.*
[2] e *Lib. X.*
[3] soume *Lib. X.*
[4] ou les dettes le Rey memes avaūt ces hores *Lib. X.*
[5] naveront *MS. Cott.*
[6] nyer *Lib. X: Rot. Bodl.*
[7] eit *Lib. X.*
[8] suffisaūt *Lib. X.*
[9] { dameches *Lib. X.* / domestes / domestiçes } *Old Printed Copies.*
[10] de *Lib. X.*

¶ Des heyrs (1) dedenz age saunz le gre de lur gardeins avaunt le age de q̃torze aunz, seit fet solum ceo qil est cõtenu en la Porveaunce de Merton; Et de ceaus q̃ ſront mariez saunz le gre de lur gardeins, puis qil averont passe q̃torze auns, le gardein eit la double value de son mariage, solum la tenur de mesme la Porveaunce; Estre ceo q̃ ceaus qi averont sostret le mariage rendent la dreite value del mariage al gardein por le trespas; Et ja le meins le Rey eyt les amendes solum mesme cele Porveaunce de celi q̃ lavera issi sustret. ¶ Des heyrs femeles, puis q̃ eles averont acumpliz le age de xiiij. aunz, Et le Seygnr a ki le mariage apent nele voudra marier, mes pur coveitise de la tere la vodra tenir desmarie; Purveu est q̃ le Seygnr ne puise aver ne tenir, par acheson del mariage, la tere a cels heyrs femeles, outre deus aunz apres le ſme des avauntdiz quatorze aunz; Et si le Seygnr dedenz cels deus aunz ne les marie, donkes eyent eles action de recoverir lor heretage quitement, saunz ren doner por la garde [& 2] por le mariage: Et si eles, par malice, ou par mauveys conseil, ne se veillent par lor chief Seygnr marier ou eles ne seient desparagez, q̃ le Seygnr tiengne la tere e le heritage jesqes al age del madle, cest a saver de vint un an, e outre taunt qil eit pris la value del mariage.

¶ Purveu est ensement q̃ en Cite, Burg, Vile, Feire, Marche, ne seit nul home forein q̃ seit de cest reaume destreint (3) dont il ne seit dettur ou plegge, e qi le fra il serra grevement puni e saunz delai [de 4] la destresce delivere par les [par les 5] Bailliffs del liu, ou par autres Baillifs le Rey (6).

¶ Purveu est ensement q̃ nul Eschetur, Visconte, ne autre Baillif le Rey, par colur de son office, saunz especial garaunt ou comaundement, ou ẽtein auctorite q̃ apent a son office, ne disseise nul houme de son fraunk tenement, ne de chose q̃ touche fraunk tenement; Et si nul le fet, seit a la volente le disseisi, q̃ le Rey de son office le face amender a sa pleinte, ou qil eyt cõmune lei par brief de novele deseisine. Et celui q̃ serra de ceo ateint il rendra [les damages 7] a mesme le pleintif, e serra en la greve mci le Rey.

¶ Nul Ministre le Rey ne mainteingne, par li ne par autre, les plez poles ou bosoingnes q̃ sont en la Court le Rey, de teres tenemenz ou de autre chose, por aver part de ceo, ou autre pfit par covenant fet entre eaus, e qe le fra seit puni a la volente le Rey.

¶ Et qi nul Visconte ne autre Ministre le Rey ne prenge louer por fere son office mes seient paiez de ceo qil prengent del Rey; e qi le fra rendra le double, e serra puni a la volõte le Rey.

¶ Et q̃ nul Clerk de Justice de Eschetour ou de Enquerour nule riens ne prengne por liverer Chapitres horspris solement Clers des Justices (8) en lour Eyre, e ceo deus souz (9) de cheskun Wapentacle Hundred ou Vile q̃ respount par duze ou par sis, solum ceo q̃ auncienemẽt fut usee; Et qi autrement le fra, rendra le treble de ceo qil avera pris, e pdra le ſvice son Seygnr par un an.

¶ Et q̃ nul Clerk le Rey ne de ses Justices ne receive desoremes presentement de Eglise, dont plai ou contek seit en la court le Rey, saunz le especial conge le Rey; e ceo defent le Rey sour peine de perdre (10) son ſvice.

1 mariez *Lib. X.* 2 ne *Lib. X.*: ou *MS. Cott: Rot. Bodl.*
3 pr dette *Lib. X.* 4 seit *Lib. X.*
5 an erroneous Repetition. 6 si mester seit *Lib. X.*
7 le double *Lib. Nig.*—les damages al duble *Lib. X.*: *MS. Cott.*
8 errauns *Lib. X.*: *MS. Cott*: *Lib. Nig.*
9 e nent plus *Lib. X.* 10 la eglise et *Printed Copies.*

OF Heirs married within Age, without the Consent of their Guardians, afore [that they be past] the Age of Fourteen Years, it shall be done according as it is contained in the Statute of Merton; And of them that shall be married without the consent of their Guardians, after they be past the Age of Fourteen Years, the Guardian shall have the double Value of their Marriage, after the Tenour of the same Act: Moreover, such as have withdrawn their Marriage, shall pay the full Value thereof unto their Guardian for the Trespass, and nevertheless the King shall have [like Amends,1] according to the same Act, of him that hath so withdrawn. XXII. Marriage of Wards. [*See Stat. Merton, ch.* 6, 7.]

And of Heirs Females, after they have accomplished the Age of Fourteen Years, and the Lord, to whom the Marriage belongeth, will not marry them, but for covetise of the Land will keep them unmarried; It is Provided, That the Lord shall not have nor keep, by reason of Marriage, the Lands of such Heirs Females, more than Two Years after the Term of the said Fourteen Years. And if the Lord within the said Two Years do not marry them, then shall they have an Action to recover their Inheritance quit, without giving any thing for their Wardship, or their Marriage. And if they of Malice, or by evil Counsel, will not be married by their Chief Lords, where they shall not be disparaged, then their Lords may hold their Land and Inheritance until they have accomplished the Age of an Heir Male, that is to wit, of One and twenty Years, and further until they have taken the Value of the Marriage. Marriage of Female Wards. Penalty on such Wards refusing Marriage.

IT is Provided also, That in no City, Borough, Town, Market, or Fair, there be [no Foreign Person,2] which is of this Realm, distrained for any Debt wherefore he is not Debtor or Pledge; and whosoever doth it, shall be grievously punished, and without Delay the Distress shall be delivered [unto him 3] by the Bailiffs of the Place, or by (4) the King's Bailiffs, if need be. XXIII. Distress for Debts in Cities, &c. against Strangers.

IT is Provided also, That no Escheator, Sheriff, nor other Bailiff of the King, by colour of his Office, without special Warrant or Commandment, or Authority certain pertaining to his Office, disseise any Man of his Freehold, nor of any Thing belonging to his Freehold; and if any do, it shall be at the Election of the Disseisee, whether that the King by Office shall cause it to be amended at his Complaint, or that he will sue at the Common Law by a Writ of Novel Disseisin; And he that is attainted thereof shall pay double Damages to the Plaintiff, and shall be grievously amerced unto the King. XXIV. Unlawful Disseisin by Escheators, &c.

NO Officer of the King by themselves, nor by other, shall maintain Pleas, Suits, or Matters hanging in the King's Courts, for Lands, Tenements, or other Things, for to have part or profit thereof by Covenant made between them; and he that doth, shall be punished at the King's Pleasure. XXV. Champerty by the King's Officers.

AND that no Sheriff, nor other the King's Officer, take any Reward to do his Office, but shall be paid of that which they take of the King; and he that so doth, shall yield twice as much, and shall be punished at the King's Pleasure. XXVI. Extortion by the King's Officers.

AND that no Clerk of any Justicer, Escheator, or Enquiror, shall take any Thing for delivering Chapiters, but only Clerks of Justices in their Circuits, and that is. and no more, of every Wapentake, Hundred, or Town, that answereth by Twelve, or by Six, according as it hath been used of old Time; and he that doth contrary shall pay thrice so much as he hath taken, and shall lose the Service of his Master for One Year. XXVII. Extortion by Clerks of Justices, &c.

AND that none of the King's Clerks, nor of any Justicer, from henceforth shall receive the Presentment of any Church, for the which any Plea or Debate is in the King's Court, without special Licence of the King; and that the King forbiddeth, upon pain to lose [the Church, and 5] his Service. And that no Clerk of any XXVIII. Maintenance by Officers of Courts.

1 the Amendes *MS. Tr.* 1. 2 non outman *MS. Tr.* 1.
3 Not in Original. 4 *other*
5 *MS. Tr.* 1. omits.

Justicer, or Sheriff, [take Part [1]] in any Quarrels [of [2]] Matters depending in the King's Court, nor shall work any Fraud, whereby common Right may be delayed or disturbed; and if any so do, he shall be punished by the pain ([3]) aforesaid, or more grievously, if the Trespass do so require.

XXIX. Deceits by Pleaders. IT is Provided also, That if any Serjeant, Pleader, or other, do any manner of Deceit or Collusion in the King's Court, or consent [unto it,[4]] in deceit of the Court, [or[5]] to beguile the Court, or the Party, and thereof be attainted, he shall be imprisoned for a Year and a Day, and from thenceforth shall not be heard to plead in [that[6]] Court for any Man; and if he be no Pleader, he shall be imprisoned in like manner by the Space of a Year and a Day at least; and if the Trespass require greater Punishment, it shall be at the King's Pleasure.

XXX* Extortion by Officers of Courts. AND Forasmuch as many complain themselves of Officers, Cryers of Fee, and the Marshals of Justices in Eyre, taking Money wrongfully of such as recover Seisin of Land, or of them that obtain their Suits, and of Fines levied, and of Jurors, Towns, Prisoners, and of others attached upon Pleas of the Crown, otherwise than they ought to do, in divers manners: And forasmuch as there is greater number of them than there ought to be, whereby the People are sore grieved; the King commandeth that such Things be no more done from henceforth; and if any Officer of Fee doth it, his Office shall be taken into the King's hand; and if any of the Justices Marshals do it, they shall be grievously punished at the King's Pleasure; and as well the one as the other shall pay unto [the[7]] Complainants the treble Value of that they have received in such manner.

XXXI. Excessive Toll in Market Town. TOUCHING them that take outragious Toll, contrary to the common Custom of the Realm, in Market Towns; It is Provided, That if any do so in the King's Town, which is let in Fee Farm, the King shall seize into his own hand the Franchise of the Market; and if it be another's Town, and the same be done by the Lord of the Town, the King shall do in like manner; and if it be done by a Bailiff, [or any mean Officer,[8]] without the commandment of his Lord, he shall restore to the Plaintiff as much more for the outragious taking, as he [had[9]] of him, if he had carried away his Toll, and ([10]) shall have forty days Imprisonment.

Murage. Touching Citizens and Burgesses, to whom the King or his Father hath granted Murage to inclose their Towns, which take such Murage otherwise than it was granted unto them, and thereof be attainted; It is Provided, That they shall lose their Grant for ever, and shall be grievously amerced unto the King.

XXXII. Defaults of Purveyors. OF such as take Victual or other things to the King's use upon Credence, or [to the Garrison of a Castle,[11]] or otherwise, and when they have received their payment in the Exchequer or in the Wardrobe, or otherwhere, they withhold it from the Creditors, to their great damage, and slander of the King; It is Provided, for such as have Lands or Tenements, That incontinent it shall be levied of their Lands, or of their Goods, and paid unto the Creditors, with the Damages they have sustained, and shall make Fine for the Trespass; and if they have no Lands nor [Goods,[12]] they shall be imprisoned at the King's Will.

Purchasing the King's Debts. And of such as take part of the King's Debts, or other Rewards of the King's Creditors for to make Payment of the same Debt, It is Provided, that they shall pay the Double thereof, and be grievously punished at the King's Pleasure.

Purveyance of Horses and Carts. And of such as take Horse or Carts for the King's Carriage more than need, and take Rewards to let such

[1] *maintain the Parties* [2] or
[3] next *MS. Tr.* 2. [4] to do it
[5] for *MS. Tr.* 1. [6] the [7] all
[8] Not in Original; nor in *MS. Tr.* 1.
[9] *would have had*
[10] *moreover* [11] *for the providing of a Castle*
[12] Tenements

¶ Et q̃ nul Clerk de Justice ne de Visconte ne meintenge parties en quereles, ne en bosoignes q̃ sont en la Court le Rey; ne fraude ne face par cõmune dreiture delaer ou destorbier; Et si nul le fet il serra puni par la peine plus ꝑscheinement dite, ou par plus grevouse si le trespas le requiert.

¶ Purvueu est ensement q̃ si nul ꝰjaunt Cõtour ou autre face nul manere deceyte ou collusion [q̃ sont [1]] en la Court le Rey, ou cõsente de fere la en deceyte de la Court por engingner la Court ou la partie, e de ceo seit ateint, lors eyt la prison de un an e de un jour, e mes ne seit oy en la Court a conter pur nuly: Et si ceo est autre q̃ Contour, par mesme la manere eyt la prison de un an e de un jour al meins. Et si le trespas demaunde greinure peine, seit a la volente le Rey.

¶ Pur ceo q̃ muls de genz se pleingnent q̃ les ꝰjaunz Criurs de feo, e les [autres [2]] Marchals [des Justices en Eyre des Justices [3]] ꝑnent atort deners de ceaus q̃ recovrent seisine de tere, ou q̃ gaingnent lours quereles, des fins levez, des Jurours, Vilees, prisons, e des autres attachez al ple de la Coroune, autrement q̃ fere ne deussent en mulz de maneres; Et de ceo qil i ad plus graunt noumbre de ceaus q̃ aver ne deust, par quei le pople est malement greve, le Rey (*) q̃ tiels choses ne seient fetes desoremes; e si nul Serjaunt de fee le face, le office seit pris en la main le Rey: Et si Mareschaus des Justices le facent, seient puniz grevement a la volente le Rey; e a tuz les pleintifs lun e lautre rendra le treble de ceo qil avera issi pris.

¶ De ceaus q̃ pernent outr̃iouse tounuz encontre cõmun Usage del reaume [ou [5]] ville marchaunde; p̃veu est q̃ si nul le face en la [Court [6]] le Rey mesme q̃ seit a feferme, le Rey prendra la f̃nchise del Marche en sa mein; Et si ceo est autri vile, e ceo seit fet par le Seygn̄r de mesme la vile, le Rey le fra par mesme la manere; Et [si ceo fet [7]] par le Baillif saũz comaundement le Seygn̄r, il rendra ([8]) ataunt por la outraiouse prise com il vousist aver pris de li [si il eust enporte son tounu,[9]] e ovesqes ceo il avera la p̃son de xl. jours. ¶ Des Citeins e des Burgeys a ki le Rey ou son piere ad g̃nte Murage, por lor vile enclore, Et q̃ tiel Murage prengnēt autrement qil lor este g̃nte, e de ceo seit ateint, Purveu est qil perdent cele [grace,[10]] de tut le tens q̃ serra avenir, e serrũt en la grevouse merci le Rey.

¶ De ceaus q̃ ꝑnent vitaile ou nul riens al eos le Rey a creaunce, ou a garnison del Chastel ou aillurs, [e k̃nt il ount receu le paiement a la chekere, en garderobe, ou aillors [11]] deteingnēt la paie des creaunceors, a g̃nt damage de eaus en esclaundre del Rey; Porveu est q̃ ceaus q̃ ont teres & tenemenz q̃ meintenaunt seit ceo leve de lour teres, & de lur chateaus, & paie as creaunceors, ove le damage qil averont euz, e seient reinz por lur trespas; e sil neient teres ne tenemēz, seient en p̃son a la volente le Rey. ¶ De ceaus q̃ ꝑnent ptie des dettes le Rey, ou autres louers pernent des creaunceors le Rey, por fere la paie de mesme celes dettes; Purveu est qil rendent le double, e seient puniz grevement a la volente le Rey. ¶ De ceaus q̃ pernent Chivaus ou Charettes a fere les cariages le Rey, plus q̃ mester

[1] [2] *Lib. X: MS. Cott: Rot. Bodl: & Printed Copies* omit.
[3] des Justices en Eyre & des autres Justices *MS. Cott: Rot. Bodl.*—de Justices en Eyre *Lib. X: Old Printed Copies.*
[4] defent *Lib. X.* [5] en *Lib. X.* [6] ville *Lib. X.*
[7] sil seit fet *Lib. X.* [8] al plantif *Lib. X.*
[9] sil en eust passe saunz ceolun *Rot. Bodl.*
[10] grant *Printed Copies.*
[11] These Words are omitted in *Lib. Rub Scacc. Dublin*; They are inserted above from *Lib. Scacc. Westm. X.* wherewith *MS. Cott; Lib. Nig; Rot Bodl; Lib. Horn;* several other MSS. and all the Printed Copies agree.

* In the Old Printed Translations this is a Continuation of Chapter 29; Chapter 31 is numbered 30, and the subsequent Chapters accordingly.

ne serroit, e pernent louer pur relesser les Chivaus ou les Charettes; Purveu est q̃ si nul de la Court le face, il serra grevement chastie par les Mareschaus, e si ceo seit fet hors de la Curt, ([1]) ou par autre q̃ il seit ateint, si rendra le treble, e serra en la p'son le Rey xl. jours.

¶ Purveu est q̃ nul Visconte ne seoffre baretour meintenir paroles en Conte; ne Seneschaus de g̃nt Seygnurs, ne autre sil ne seit attorne son Seygnur a a suite fere ([2]) ne rendre les Jugemenz des Contez ne pronũcier les Jugemenz, sil ne seit especialment prie & requis de ceo fere de tuz les suitiers e les attornez des suit's q̃ i serront a la Jorneie; e si nul le face, le Rey se prendra grevousement, e al Visconte e a luy.

¶ Purceo q̃ plusors unt sovent trove [& Conte com troveurs[3]] dont descord & manere de descord ad este sovent entre le Rey e son pople, ou [aukuns homes[4]] de son reaume, est defendu pur le damage q̃ ad este e uncore purreit avenir, q̃ desorenavaunt nul ne seit si hardi de dire ne de contier nule fause novele ou controveure, dont nul descord ou manere de descord ou desclaundre puisse sourdre entre le Rey e son pople, ou les hauz houmes de son reaume: Et ki le fra seit pris e detenuz en p'son, jesqes a taunt q̃ il eit trove celuy en la Court dont la parole serra meu.

¶ Des hauz houmes e lour Bailliz, e des autres hors pris les Ministres le Rey, [qi[5]] especial auctorite est done de ceo fere, q̃ a la pleinte de aukuns, ou par lur auctorite demeine, attachent autres ou lour biens trespasaunz par lour poer, a respondre devaũt eaus des contraks covenauntes e des trespas fet hors de lour pouer e jurisdiction, la ou il ne tiengnent rien de eaus, ne dedenz la fraunchise ou lour poer est, en p̃judice le Rey e de la Coroune e al damage del pople; Purveu est q̃ nul desoremes nel face; Et ([6]) aukun le fet, il rendra a celui q̃ ([7]) serra attache son damage al double, e serra en la greve merci le Rey.

¶ Purceo q̃ avaunt ces ures ne fut unkes resonable aide a fere fiuz Chivalers, ou a filles marier, mise en ℞tein, ne q̃nt ele devoit estre prise, ne quel houre, par quei les uns leverent outraiouse aide ([8]) plus tost q̃ ne sembloit mes̃, dont le pople se senti grevee; Purveu est q̃ desoremes de fee de Chivaler entier solement seient donez vint souz, e de vint liveres de tere tenues par socage vint souz, e de pl̃ plus, e de meins meins, solum le afferaunt; e q̃ nul ne puisse lever tiel aide de fere son fiuz Chivaler, taunt q̃ son fiz seit de age de quinze aunz, ne a sa fille marier taũt q̃ ele seit de age de set aunz: Et de ceo serra fet mencion en la brief le Rey forme sur ceo, q̃nt il le veille demaunder. Et sil avent q̃ le piere, q̃nt il avera leve tiel ayde de ses tenaunz, meorge avaunt q̃ il eyt sa fille marie, les essecutors le piere seint tenuz a la fille en taunt com le piere avera receu, ([9]) e si les biens ([10]) ne soffisent, le heyr seit tenu de ceo a la fille.

¶ Purveu est & acorde ensement, q̃ si nul houme seit ateint de deseissine, fete en tens le Rey q̃ ore est, [ou[11]] roberie de nul maner de Chatel ne de meoble par reconuzaunce de assise de Novele Deseisine, le

[1] p houme de la curt *Lib. X: MS. Cott.*
[2] seer *Lib. Nig.*—seir (*altered from* seit) *Lib. X.*—seour *Lib. Horn.*—*Rot. Bodl. after* a suite fere *reads thus:* a fer Justicem̃t del Conte ne pnuncier
[3] { en Counte controveurs *MS. Cott: Lib. Nig.* / e counte contrevures *Lib. X: Rot. Bodl.* / *Some Printed Copies add* des countes; *others* des novelles
[4] { hauz homes *Lib. Nig: Rot. Bodl.* / entr̃ akuns haus houmes *Lib. X.* / ascuns hautes hommes *MS. Cott.*
[5] a ki *Lib. X.* [6] si *Lib. X.*
[7] p cel acheson *Lib. X.* [8] e *Lib. X.*
[9] por cest ayde *Lib. X.* [10] le pere *Lib. X.*
[11] ove *Rot. Bodl.*

Horse or Carts go; It is Provided, that if any of the Court so do, he shall be grievously punished by the Marshals; and if it be done out of the Court, [or by one that is not of the Court, and[1]] be thereof attainted, he shall pay treble Damages, and shall remain in the King's Prison Forty Days.

XXXIII. Barretors in County Courts.

IT is Provided, That no Sheriff shall suffer any Barretors [or Maintainers of[2]] Quarrels in their Shires, neither Stewards of great Lords, nor other unless he be Attorney for his Lord, to make Suit, [nor[3]] to give judgements in the Counties, nor to pronounce the judgements, if he be not specially required and prayed ([4]) of all the Suitors, and Attornies of the Suitors, which shall be at the Court; and if any do, the King shall punish grievously both the Sheriff and him that so doth.

XXXIV. Of slanderous Reports.

Forasmuch as there have been oftentimes found in the Country [Devisors[5]] of Tales, whereby discord [or occasion[6]] of discord, hath many times arisen between the King and his People, or Great Men of this Realm; for the Damage that hath ([7]) and may thereof ensue; It is commanded, That from henceforth none be so hardy to tell or publish any false News or Tales, whereby discord, or [occasion[8]] of discord or slander may grow between the King and his People, or the Great Men of the Realm; and he that doth so, shall be taken and kept in Prison, until he hath brought him into the Court, [which was the first Author of the Tale.[9]]

XXXV. Excess of Jurisdiction in Franchises.

OF Great Men and their Bailiffs, and other, the King's Officers only excepted unto whom especial Authority is given, which at the Complaint of some, or by their own Authority, attach other passing through their Jurisdiction with their Goods, [compelling them[10]] to answer afore them upon Contracts, Covenants, and Trespasses, done out of their Power and their Jurisdiction, where indeed they hold nothing of them, nor within the Franchise, where their Power is, in Prejudice of the King and his Crown, and to the Damage of the People; It is Provided, That none from henceforth so do; and if any do, he shall pay to him, that by this Occasion shall be attached, his Damages double, and shall be grievously amerced to the King.

XXXVI. Aids for Knighthood and Marriage.

FORASMUCH as before this time, reasonable Aid to make ones Son Knight, or to marry his Daughter, was never put in certain, nor how much should be taken, nor at what time, whereby some levied unreasonable Aid, and more often than seemed necessary, whereby the People were sore grieved; It is Provided, That from henceforth of an whole Knight's Fee there be taken but xx. s. and of xx. pound Land holden in Socage xx. s. and of more, more; and of less, less; after the rate. And that none shall levy such Aid to make his Son Knight, until his Son be fifteen years of Age, nor to marry his Daughter, until she be of the age of seven years. And of that there shall be made mention in the King's Writ, formed on the same, when any will demand it. And if it happen that the Father, after he hath levied such Aid of his Tenants, die before he hath married his Daughter, the Executors of the Father shall be bound to the Daughter, for so much as the Father received for the Aid. And if the Father's Goods be not sufficient, his Heir shall be charged therewith unto the Daughter.

XXXVII. Disseisin with Robbery; or by force.

IT is Provided also and agreed, That if any Man be attainted of Disseisin done in the time of the King that now is, with Robbery of any manner of Goods or Moveables, [and be found against him[11]] by Recognizance of Assise of Novel Disseisin, the Judgement

[1] *by one of the Court, or by any other who shall*
[2] *to maintain* [3] to sitte and *MS. Tr.* 1.
[4] it for to do *MS. Tr.* 1. [5] Tellers
[6] and matere *MS. Tr.* 1.
[7] been *MS. Tr.* 1. [8] matter
[9] which did speake the same.
[10] Not in Original.
[11] Old Translations and *MS. Tr.* 1. omit.

shall be such; that the Plaintiff shall recover his Seisin and his Damages, as well of the Goods and Moveables aforesaid, as [for the Freehold,[1]] and the Disseisor shall make fine, [which,[2]] whether he be present or not [so it be presented[3]] shall first be awarded to Prison. And in like manner it shall be done of Disseisin with Force and Arms, although there be no Robbery.

XXXVIII. Attaints in real Actions.

FORASMUCH as certain People of this Realm doubt [very little[4]] to make a false Oath, [which they ought not to do,[5]] whereby much People are disherited, and lose their Right; It is Provided, That the King, of his Office, shall from henceforth grant Attaints upon Enquests in Plea of Land, or of Freehold, or of any thing touching Freehold, when it shall seem to him necessary.

XXXIX. Limitation of Prescription.

AND Forasmuch as it is long time passed since the Writs undernamed were (6) limited; It is Provided, That in conveying a Descent in a Writ of Right, none shall [presume[7]] to declare of the Seisin of his Ancestor further, or beyond the time of King Richard, Uncle to King Henry, Father to the King that now is; and that a Writ of Novel Disseisin, [of Partition,[8]] which is called Nuper obiit, have their Limitation since the first Voyage of King Henry, Father to the King that now is, into Gascoin. And that Writs of Mortdancestor, of Cosinage, of Aiel, of Entry, and of Nativis, have their Limitation from the Coronation of the same King Henry, and not before. Nevertheless all Writs purchased now by themselves, or to be purchased between this and the Feast of St. John, for one Year complete, shall be pleaded from as long time, as heretofore they have been used to be pleaded.

XL. Vouchers to Warranty.

FORASMUCH as many People are delayed of their Right by false vouching to Warranty; It is Provided, That in Writs of Possession, [first in Writ[9]] of Mortdauncestor, of Cosinage, of Aiel, Nuper obiit, of Intrusion, and other like Writs, whereby Lands or Tenements are demanded, which ought to descend, revert, remain, or [escheat[10]] by the death of any Ancestor or [otherwise,[11]] if the Tenant vouch to Warranty, and the Demandant counterpleadeth him, and will aver by Assise, or by the Country, or otherwise, as the Court will award, that the Tenant, or his Ancestor, whose Heir he is, was the first that entered after the Death of him, of whose Seisin he demandeth; the Averment of the Demandant shall be received, if the Tenant [will abide thereupon[12];] and if not, he shall be further compelled to another answer, if he have not his Warrantor present, that will warrant him freely, and incontinent enter into the Warranty; saving unto the Demandant his Exceptions against him, if he will vouch [further,[13]] as he had before against the first Tenant. From henceforth in all manner of Writs of Entry, which make mention of Degrees, none shall vouch out of the Line: or in other Writs of Entry, where no mention is made of Degrees; which [Writ[14]] shall not be maintained, but in cases where the other Writs of Degrees cannot (15) lie, nor hold place: and in a Writ of Right It is Provided, That if the Tenant vouch to Warranty, and the Demandant will counter-plead him, and be ready to aver by the Country, that he that is vouched to Warranty, nor his Ancestors, had never Seisin of the Land or Tenement demanded, nor Fee or Service by the hands of [his[16]] Tenant, or his Ancestors, since the Time of him, on whose Seisin the Demandant declareth, until the time that the Writ was purchased, and the Plea moved, whereby he might have infeoffed the Tenant or his Ancestors, then let the Averment of the Demandant be received, if the Tenant [will abide thereupon[17];] if not, the Tenant shall be further

In Writs of Entry no Voucher out of the Line.

Counter-pleading to Voucher in Writ of Right.

[1] for the Soil
[2] Old Translations omit this Word.
[3] so as if he be present, he
[4] *less* [5] *than they ought*
[6] *formerly* [7] *be heard*
[8] and of Purpartie *MS.Tr.*1.
[9] as in the Writ *MS.Tr.*1. [10] fall
[11] of other *MS.Tr.*1. [12] thereto will attend *F.*1534.
[13] over *MS. Tr.*1. [14] Writs
[15] *of right* [16] the [17] thereto awill ttend *F.* 1534.

jugement seit tiel q̃ le pleintif recovera sa seisine e ses damages, ausi bien des Chateaus e del meoble avauntdit com [del eel;[1]] Et le deseisisur seit reint, le quel q̃ il seit p̃sent ou noun; issi q̃ si il seit enp̃sēt primes seit agarde a la prison: Et par mesme la manere seit fet de deseisine fet a force & armes, tut ne face on roberie.

¶ Purceo q̃ aukune genz de la tere doûtent meins de fere faus ꝑement, q̃ fere ne deussent, p̃ quei mult de genz sont desheritez e ꝑdent lour dreit; Purveu est q̃ desoremes le Rei de son office dorra ateintes sur les enquestes, en plai de tere, ou de [fraunchise[2]] (3) q̃ touche fraunk tenement, q̃nt il li semblera q̃ bosoigne seit.

¶ Et pur ceo q̃ le tens est mult passe puis q̃ les briefs desuz nomeez furent aut̃ feiz limitez; Purveu est q̃ [om[4]] conte de decente, en le brief de dreit, q̃ nul ne seit oy por demaunder la seisine son auncestre de plus lointein seisine q̃ del tens le Rey Richard, oncle (5) le piere le Rey q̃ ore est; e q̃ le brief de Novele deseisine, e de porpartie q̃ est appelle nup obiit, eient le terme puis le primer passage le Rey Henry, piere nostre Seigñr le Rey q̃ ore est, en Gascoyngne. Et le brief de Mort Dauncestre, de Cosinage, del Ael, e de Entre, e brief de Neivete eyent le t̃me del Corouneмēt (6) le Rey Henri, e ne mie avaunt. Mes q̃ tuz les briefs ore [a par mesme[7]] (8) ou q̃ lem p̃chasera entre ci e la Seint Johan en un an, seient pledez del tens q̃ avaunt soleient estre pleidez.

¶ Et pur ceo q̃ mulz de genz sont delaez de lour dreit pur fausement voucher (9) garaunt; Purveu est en brief de possession, tut a primes si com en brief de Mort dauncestre, Cosinage, del Aiel, nup obiit, de entrusion, e en autres briefs semblables, par les queus teres ou tenemenz seient demādez, q̃ deivent decendre, revertir, remeindre, ou escheir par mort dauncestre, ou de autre, q̃ si le tenaunt vouche a garaunt, e le demaundaunt le contre pleide, e veille averrer par assise, ou par pais, ou en autre manere si com la Court le Rey agardera, q̃ le tenāt, ou son auncestre qi heyr il est, fust le primer ki entra apres la mort celui de qi seisine il demaunde, seit la verrement del demaundaunt receu, si le tenaunt le veille atendre, si ceo noun, seit bote utre a autre respons, sil ne eit son garaunt enpresent [q̃ il voille graunter[10]] de son gre, e meintenaunt entrer en respons, sauve al demaundaūt ses excepcions encontre li sil voille voucher outre, com il avoit avaunt [com[11]] le primer tenaunt. ¶ De rechief en totes maneres des briefs de Entre (12) font mencion des degrez, q̃ nul desoremes ne vouche hors de la lingne: (13) En autre briefs de Entre [q̃ la[14]] ou nule mencion nest fet des degrez, les queus briefs ne soient sostenuz, fors la ou les avaundiz briefs des degrez ne poent gisir ne liu tenir de dreyt. ¶ Et en brief de dreit, Purveu est q̃ si le tenaunt vouche a garant, e le demaundaunt le veille contrepleider, e seit prest de averr̃ par pays q̃ celi q̃ est vouche, ou ses auncestres, unkes naveyent seisine de la tere ou del tenement demaunde, fee ne ꝓvise par la meyn le tenaunt ou de ses auncestres, puis le tens cely de qi seisine le demaundaunt conte, jesqes al tens q̃ le brief fu purchace, & le ple meu, par quei [il poent averrer q̃ le tenaunt ou ses auncestres feoffez,[15]] seit laverrement del demaundaunt receu si le tenaunt le voille attendre; si ceo noun, seit le tenaunt

[1] { del el *Lib. X:* del eles *MS. Cott.* / de el *Lib. Nig: Rot. Bodl:* del soil *Old Printed Copies.*
[2] franktenement *Printed Copies.* [3] ou de chose *Lib. X.*
[4] en *Lib. X.* [5] al Rey Henry *Lib. X.*
[6] mesme *MS. Cott.* [7] a p̃mes *Rot. Bodl.*
[8] p̃chasez *Lib. X.* [9] a *MS. Cott.*
[10] ke le voile garantir *Lib. X.* [11] con̄ *Lib. X.*
[12] ke *Lib. X.* [13] E ausi *Lib. X.*
[14] *Lib. X: MS. Cott: Rot. Bodl.* omit.
[15] { il poit avoir le tenant ou ses auncestres feffe, *MS. Cott.* / il ne poit averr ke le tenaūt ou son auncestre seit feffe, *Lib. X.*

bote a autre respons sil neit son garaunt enp̃sent, [qil voille [1]] garauntir de son gre, et meintenaunt entrer en respons, sauve al demaundaunt ses excepcions encountre li, si com il avoit avaunt encontre le primer tenaunt. Et lavauntdit excepcion eit liu en brief de Mort de Aunc̃estre, e en autres briefs avaunt nomez, ausi bien com en briefs q̃ touchent dreit. Et si le tenaunt par cas eyt Chartre de garauntie de autre houme [de coste [2]] q̃ se seit oblige en nul de les avauntdiz cas [a la garauntie de son eindegre,[3]] sauve li seit son recoverir par brief de garantie de Chartre de la Chauncelerie le Rey q̃nt il voudra purchaser, mes q̃ le plai ne seit por ceo delaie.

¶ De ſment de Champyons est porveu, pur ceo q̃ [relement [4]] avient q̃ le Champion al demaundaunt ne seit p̃jurs, einz ceo q̃ il jure q̃ il ou son piere vit la seisine son Seyngr ou de son auncestrere, ([5]) son piere lui comaunda fere la desrene, q̃ mes ne seit le Champion al demaundaunt destreint a ceo jurer; mes seit le ſment garde en tuz ses autres poinz.

¶ Purceo q̃ en briefs de Assises e de Atteintes e jurees de Utrum, les jurors sont ([6]) travaillez par assoigne des tenaunz; Purveu est q̃ del houre qil eit une fiez apparu en Court, q̃ mes ne puisse essoneyr, mes face attorne a suire pur li sil veille; si ceo noun, seit le assise ou la juree prise par sa defaute.

¶ Pur ceo q̃ les demaundaunz sont soventefoiz delaiez de lour dreit, por ceo qil iad plusors parceners tenaunz [jointement feoffez, ou nul ne siet son several,[7]] dont nul ne poet respondre saunz autre, ou q̃ il iad plusors [parceners [8]] tenaunz jointement feoffez, ou nul ne siet son several, e ceus tenaunz souvent fourchent par assoingne, issi q̃ cheskun eyt un assoingne; Purveu est q̃ desoremes iceaus tenaunz ne eyent assoingne fors q̃ a une journee, & nient plus q̃ un soul tenaunt, issi q̃ mes puissent fourcher, fortaunt soulement aſ un assoigne.

¶ Purceo q̃ mulz de genz se font fausement assoigner de Utre Meer, la ou il furēt en Engletere le jour de la somonse, Purveu est q̃ desoremes q̃ tiel assoingne ne seit pas del tut alouwe, si le demaundaunt le chalenge, e prest est de averrer qil fut en Engletere le jour q̃ la somonse fu fete, e treis semeines apres, mes seit ajorne en cest fourme, q̃ si le demaundaunt a tiel jour suie la verrement par pais ou sicom la Court le Rey agardera, e seit ateint q̃ le tenaunt fut dedenz les quatre meers, le jour qil fu somons e tres semeines apres, issi q̃ il poeit estre resonablement garni de la somonse, seit le assoingne turne en une defaute; e ceo fet a entendre taunt soulement devaunt Justices.

¶ Des delais en tote maneres de brefs ([9]) de attachemenz, est purveu, q̃ si le tenaunt ou le defendaunt, apres le ([10]) attachement tesmoingne, face defaute, q̃ meintenaunt seit le graunt destresce agarde; e si le Visconte ne respoingne soffisaument al jour, seit grevousemēt amcie; Et sil maunde qil ad fet le execucion en due manere, e les issues bailliez as mainpernors, adonkes seit

[1] ke le voile *Lib. X.*—ke [luy *struck thro'*] voille *Lib. Horn.*

[2] par encoste *Lib. Horn.*—en coste *Lib. X.*—entoste *Rot. Bodl.*—*The oldest Printed Copies read* homme qui soit oblige.—2 *Inst. reads* homme de ceo chose q' soit oblige

[3] ou le garantie de son eyne gre *Lib. X.*

[4] rerement *Lib. X: Rot. Bodl.* [5] e ke *Lib. Horn.*

[6] sovēt *Lib. Horn.*

[7] *Lib. Horn: Lib. X: MS. Cott: Rot. Bodl.* omit.

[8] *Lib. X: Lib. Horn: Rot. Bodl. & Printed Copies* omit.

[9] & *Lib. Horn: Rot. Bodl.* [10] primer *Printed Copies.*

compelled unto another Answer, if he be not present that will warrant him freely, and incontinent enter in Answer, saving unto the Demandant his Exceptions against him, as he had afore against the first Tenant. And the said Exception shall have place in a Writ of Mortdauncestor, and in the other Writs before named, as well as in Writs that concern Right. And if percase the Tenant have a [Deed, that compriseth Warranty of another Man, which is bound in none of these cases before mentioned to the Warranty of an elder Degree,[1]] his Recovery, by a Writ of Warranty of Charters out of the King's Chancery, shall be saved to him at what time soever he will purchase it; howbeit the Plea shall not be delayed therefore.

XLI. Champion's Oath in a Writ of Right.

TOUCHING the Oaths of Champions, It is thus Provided, because it seldom [happened,[2]] but that the Champion of the [Defendant [3]] is forsworn, in that he sweareth, that he or his Father saw the Seisin of his Lord, or his Ancestor, and that his Father commanded him to dereign that Right; that from henceforth the Champion of the Demandant shall not be compelled so to swear: Nevertheless his Oath shall be kept in all other Points.

XLII. No Essoin after Appearance.

FORASMUCH as in a Writ of Assise, Attaints, and Juris utrum, the Jurors been often troubled by reason of the Essoins of Tenants; It is Provided, That after the Tenant hath once appeared in the Court, he shall be no more essoined, but shall make his Attorney to sue for him, if he will; and if not, the Assise or Jury shall be taken through his Default.

XLIII. Of Essoins by Parceners, &c.

FORASMUCH as Demandants be oftentimes delayed of their Right, by reason that many Parceners be Tenants, of which none may be compelled to answer without the other, or ([4]) there may be many jointly infeoffed, where none knoweth his several, and such Tenants oftentimes fourch by Essoin, so that every of them hath a several Essoin; It is Provided, That from henceforth such Tenants shall not have Essoin, but at one Day, ([5]) no more than one sole Tenant should have; so that from henceforth they shall no more fourch, but only shall have one Essoin.

XLIV. Essoin of Ultra Mare.

FORASMUCH as divers Persons cause themselves falsely to be essoined, for being over the Sea, where indeed they were within the Realm the Day of the Summons; It is Provided from henceforth, That this Essoin be not always allowed, if the Demandant will challenge it, and will be ready to aver that he was in England the Day of Summons and three weeks after; but shall be adjourned in this Form: That if the Demandant [be ready [6]] at a certain Day, [by Averment of [7]] the Country, or otherwise as the Court shall award, [to prove [8]] that the Tenant was within the Four Seas the Day that he was summoned, and three Weeks after, so that he might be reasonably warned by the Summons, the Essoin shall be turned into a Default; and that is to be understanden only before Justices.

XLV. Process to compel Appearance.

CONCERNING Delays in all Manner of Writs [and [9]] Attachments, It is thus Provided, That if the Tenant or Defendant, after the first [Attachments returned,[10]] make Default, that incontinent the great Distress shall be awarded; and if the Sheriff do not make sufficient Return by a certain day, he shall be grievously amerced; and if he return, that he hath done Execution in due manner, and the Issues delivered to the Sureties, then the Sheriff shall be commanded, that he

[1] Chartre of Warantise of other Man, biside that he be obliged in ani of the foreseide cas to the Warauntise of his gode wille, *MS. Tr.* 1.

[2] happeneth [3] Demandant [4] that

[5] *and* [6] *prosecute*

[7] *the Averment, by* [8] *and it be then found*

[9] of *MS. Tr.* 1. [10] Attachment recorded

Estreats of Issues.

return Issues at another Day before the Justices; and if the Party being attached come in at his Day to save his Defaults, he shall have the Issues; and if he come not, the King shall have them; and the [King's Justices [1]] shall cause them to be delivered in the Wardrobe; and the Justices of the Bench at Westminster shall deliver them in the Exchequer; and the Justices in Eyre unto the Sheriff of that Shire where they plead, as well of that Shire, as of foreign Shires, and (2) shall be charged therewith in Summons by the Rolls of Justices.

XLVI. Order of hearing Pleas.

IT is Provided also, and commanded by the King, That the Justices of the King's Bench (3) at Westminster from henceforth shall decide all Pleas [determinable [4]] at one Day, before any matter be [arraigned,[5]] or [Plea commenced [6]] the Day following, saving that their Essoins shall be entered, judged, and allowed; yet, by reason hereof, let none presume to absent himself at the Day to him limited.

XLVII. Non-age of Heirs in Disseisins.

IT is Provided also, That if any from henceforth purchase a Writ of Novel Disseisin, and he against whom the Writ was brought as Principal Disseisor, dieth before the Assise be passed, then the Plaintiff shall have his Writ of Entry upon Disseisin against the Heir or Heirs of the Disseisor [or Disseisors,[7]] of what Age soever they be: In the same wise the Heir or Heirs of the Disseisee shall have their Writs of Entry against the Disseisors, or their Heirs, of what Age soever they be, if peradventure the Disseisee die before that he hath purchased his Writ; so that for the Nonage of the Heirs of the one party, nor of the other, the Writ shall not be abated, nor the Plea delayed; but as much as a man can without offending the Law, it must be hasted to make fresh Suit after the Disseisin. And in like manner [this shall be observed in all points for the Right of Prelates,[8]] Men of Religion, and other, to whom Lands and Tenements [can in no wise descend [9]] after others death, whether they be Disseisees or Disseisors. And if the Parties in pleading come to an Inquest, and it passeth against the Heir within Age, and namely, against the Heir of the Disseisee, that in such case he shall have an Attaint of the King's special Grace.

XLVIII. Unlawful Feoffment of Lands in Ward.

IF a Guardian, [or [10]] Chief Lord, infeoff any Man of Land, that is the Inheritance of a Child within Age, and in his Ward, to the Disheritance of the Heir; It is Provided, That the Heir shall forthwith have his Recovery by Assise of Novel disseisin against his Guardian, and against the Tenant; and the Seisin shall be delivered by the Justices, if it be recovered, to the next Friend of the Heir, to whom the Inheritance cannot descend, for to improve to the Use of the Heir, and to answer for the Issues unto the Heir, when he shall come unto his full Age; and the Guardian, during his Life, shall lose the custody of the thing recovered, and all (11) the Inheritance that he holdeth [by reason [12]] of the Heir. And if another Guardian than the Chief Lord do it, he shall lose the Wardship [of all together,[13]] and be grievously punished by the King. And if the Infant be carried away, or disturbed by the Guardian, or by the Feoffee, or by other, by reason whereof he cannot sue his Assise, then may one of his next Friends, that will, sue for him; which shall be thereto admitted.

Suit of Prochein Amy.

XLIX. Plea in Dower.

IN a Writ of Dower, called Unde nihil habet, the Writ shall not abate by the Exception of the Tenant, because she hath received her Dower of another Man before her Writ purchased, unless he can shew that she hath received Part of her Dower of himself, and in the same town, before the Writ purchased.

[1] *Justices of the King's Pleas* [2] he
[3] and Justices of the Bench *MS. Tr.* 1.
[4] *that stand to be determined* [5] *entered upon*
[6] *commenced, of the Pleas of* [7] Not in Original.
[8] this point shall be observed towards Prelates
[9] in ani manere mighte comen *MS. Tr.* 1.
[10] *being* [11] *the rest of*
[12] in name *MS. Tr.* 1.
[13] *of the whole, for that time,*

maunde al Visconte q̃ al autre jour face venir les issues devaunt Justices; e si le attache vent (1) sauver ses defautes, eit les issues, & sil ne vent, eit le Rey les issues. Et Justices a les plez le Rey les facent liverer en garderobe; Justices de Baunc a Weymostier les facent liverer al Escheker; Justices en Eyre al Visconte de cel Counte ou il pleident, ausi bien de cel Conte com de foreins Countiez, e de ceo seit charge en somonse par roule des Justices.

¶ Purveu est ensement, e par le Rey comaunde, q̃ Justices al Baunk le Rey e Justices del Baunk a Weymostier, (2) parpleydent les plez [aterminez [3]] a un jour, [einz [4]] ceo q̃ riens seyt attame ou comence des plez del jour ensuiaunt, hors pris q̃ les assoingnes seient entrez, jugez & renduz. Et par acheson de ceo nul houme se fie q̃ il ne viengne a son jour q̃ done lui est.

¶ Purveu est ensement q̃ si nul desoremes purchace brief de Novele Deseisine, e si celui sur qi le brief vient com principal deseisisour meorge avaunt q̃ le Assise seit passe, q̃ le pleintif eyt son brief de Ent[e] funde sur deseisine, sour le heyr ou sour les heyrs al deseisisour, de quel age qil seient; en mesme la manere eit le heyr ou les heyrs al deseisi lour brief de Entre sur les deseisisours, (5) de quel age qil seient, si par aventure le deseisi meorge avaunt qil eit son purchaz fet; issi q̃ pur le noun Age de heyrs de une part & de autre ne seit le brief abatu ne le plai delaie, mes a q[a]nt lom poet saunz lei offendre, seit haste pur la fresche suite apres la deseisine. En mesme la manere seit cel point garde endreit des Prelaz gent de religion e autres as queus teres ou tenemẽz en nule manere puissent devenir apres autri mort, le quel qil seient deseisiz ou deseisisors. Et si les parties en pleidaunt decendent en enqueste, e ele passe en contre le heyr [al deseisi,[6]] qil en tiel cas eit lateinte de la grace le Rey.

¶ Si gardein (7) chief Seyngr feoffe nul houme de la terre q̃ est del heritage al enfaunt, q̃ est dedenz age e en sa garde, a la deseriteson del heyr; Purveu est q̃ le heyr meintenaunt eyt son recoverir, par bref de Novele Deseisine ver son gardein e ver le tenaunt, e seit la seisine baille par Justices, si ele seit recovee, al ꝓchein ami a ki le heritage ne ꝓurra descendre, pur apruer al eos lenfaunt, e a respondre al heyr des issues, com il vendra a son age; e le gardein ꝓde a tote sa vie la garde de mesme la chose recovere, e de tut le remenaunt del heritage qil tient en noun del heyr. Et si autre gardein q̃ chief Seygn[r] le face, ꝓde la garde de tote cele chose (8) e seit a greve peine dever le Rei. Et si lenfaunt seit aloingne ou destourbe par le gardein ou par le feoffe ou par aut[e] par quei il ne puisse sasise suire, suie por lui un de ses procheins amis q̃ voudra, e seit receu.

¶ En bref de Douayre dont dame riens nad, mes ne seit le bref abatu par excepcion del tenaunt, por ceo q̃ ele avera receu son douayre de aut[e] houme avaunt son bref purchace; sil ne puisse mostrier q̃ ele eyt receu partie de douayre de li mesme e en mesme la vile avaunt son bref purchace.

[1] a cel jour *Lib. Horn: MS. Cott.*—a teu jour a *Rot. Bodl.*
[2] desormes *Lib. X.* [3] atamez *Lib. X.*
[4] avaũt *Lib. X.* [5] ou sur lur heirs *Rot. Bodl.*
[6] dedenz age, & nomeemẽt encountre le heyr au disseisi *Lib. Horn: Lib. Nig: MS. Cott: Rot. Bodl.*
[7] ou *Lib. X.*—In *Lib. Horn*, ou *is inserted, but struck through*; *MS. Cott. and the earliest Printed Copies omit the Word.*
[8] a cel foiz *Lib. Horn: Lib. X: Rot. Bodl.*

¶ Et pur ceo q̃ le Rey fet cels choses al honur de Dieu e de Seint Eglise, e pur le cōmun prou e le aleiaunce de ceus q̃ grevez sont, il ne voet mie q̃ autre foiz puisent tourner a p̃judice de lui, ne de la Coroune; mes q̃ les dreiz q̃ li aportiengnēt li seient sauvez en tuz [ses aut's[1]] poinz.

¶ Et pur ceo q̃ graunt Charite serroit de fere dreyt a tuz, e en tuz tens [ou[2]] mes̃ serroyt, q̃ par assentement des Prelaz, Assises de Novele Deseisine, de Mort Daūcest', & de Drein presenť, feussent prises en ladvent, e en septuagesine, e en quaremme, ausi bien com lem fet les Enquestes; e ceo prie le Rey as Eveskes.

Explic' hic Statutū Dñi R̃ Edwardi ap'd Westm̄ in c'stīo Clausi Pascħ, anno r̃ sui ꝑcio, post coronacionem suam.

[1] *Lib. Horn; Lib. X; Rot. Bodl.* omit.
[2] e *Lib. Horn*; *Rot. Bodl.—Lib. X: MS. Cott.* omit.

AND Forasmuch as the King hath ordained these things unto the Honour of God and Holy Church, and for the Commonwealth, and for the Remedy of such as be grieved, he would not that at any other time it should turn in Prejudice of himself, or of his Crown; but that such Right, as appertains to him, should be saved in all points.

L. Saving for the Crown.

AND Forasmuch as it is great Charity to do Right unto all Men at all times, [when need shall be, by the Assent of all the Prelates, it was provided, That[1]] Assises of Novel disseisin, Mortdauncestor, and Darrain Presentment, should be taken in Advent, Septuagesima, and Lent, even as well as Enquests may be taken; and [that at the special Request of the King, made unto the Bishops.[2]]

LI. Time of taking certain Assises enlarged.

Here endeth the Statute of our Lord King Edward, made at Westminster on the Morrow of the Close of Easter, in the Third Year of his Reign after his Coronation.

[1] *It would be expedient that by Assent of all the Prelates,*
[2] *hereof the King maketh request to the Bishops.*

Ex Rot. Pat. 3 E. 1. m. 10.

De Statutis legendis & pclamand in com̄ Cestr̃ & alibi.

REX Justic̃ suo Cestr̃ Salm. Cum ꝑpt̃ cōem utilitatē & tocius regni nr̃i meliorac̃oem & poꝑli nr̃i relevac̃oem, de ꝯi consilio Prelatoꝝ & Magnatū ej⁹dē regni q'sdam ꝓvisiões & quedam statuta, cū magna diligencia ordinari & p⁹mod sigillo nr̃o signari fec̃im⁹ tam a nob & Ministris nr̃is quibꝫcūq; q' ab ipis Prelatis & Magnatibꝫ suis, ac tota ꝯitate regni p̃dc̃i ad ꝑpetuam memoriam rei geste inviolabiliť obs̃vand; Vob mandam⁹ in fide & dilecc̃oe quibꝫ nob tenemini, firmiť injūgentes, qd ꝓvisiones & statuta illa in pleno com̄ Cestr̃, & in singul Hundr̃ ejusdē com̄, civitatibꝫ, burgis, vill mc̃atoriis, & locis aliis ubi expedire videritis, legi & publice & sollēpniť ꝓclamari, & ea in om̄ibꝫ & singlis articulis suis & ab om̄ibꝫ de balla vr̃a fut'ris temporibꝫ jux' tenorē eoꝝdem firmiť & inviolabiliť obs̃vari; & ꝓvisionibꝫ & statutis illis sic ꝓclamatis, & ea in singlis locis inf' ballam vr̃am ubi expedire videritis distincte & apte cōscribi & ea fidelibꝫ nr̃is locoꝝ illoꝝ, sic sc'ipta sine dilōe libari vob ac ballis & fidelibꝫ nr̃is here cum eis judicaꝫitis ostēdēda & q'tuor vt duobꝫ militibꝫ de fidelioribꝫ & discrec̃oribꝫ militibꝫ com̄ p̃dc̃i, de assensu tocius ꝯitatis t'di faciatis ad sec'itatē nr̃am & dc̃e ꝯitatis c⁹todiend. Et ita vos heatis in hoc mandato nr̃o exequendo ne nob seu aliis, ꝓ vos vt vr̃os, seu vob ꝓ defcm vr̃m vt vr̃oꝝ, imputari possit vt debeat, qd ea que in dc̃is ꝓvisionibꝫ & statutis continent' vel eoꝝ aliqua in balla vr̃a min⁹ plene obs̃vent'. Et hoc vob & univs̃itati com̄ p̃dc̃i tenore ꝑsenciū significam⁹. T. R. apud Westm̄ xxviij. die Maij.

Cons̄ lr̃e dirigunt' singul Vicecōitibꝫ ꝓ Angl.

Ex Lib. Horn.

EDWARDUS, &c. Majori & Vic̃ suis Lond Saltm. Cū ad meliorac̃om stat⁹ toci⁹ regni nr̃i, de cōi consilio p̃latoꝝ & Magnatū ej⁹ regni, fec̃im⁹ q'sdā ꝓvisiões i eodē regno fut'is tēpibꝫ observandas q'as vob mittim⁹ sigillo nr̃o signatas: Vob ꝑcipim⁹ q; ꝓvisiones illas in pleno Hustengo vr̃o & alibi inf' ballivā vr̃am ubi expedire videritis legi & publicari faciať & hoc nō omittať. T. meipo apd Wyndes xvj. die Julii ão r̃ nr̃i ꝑcio.

The foregoing Writ is entered in Lib. Horn *at the bottom of the Pages on which the Entry of the Statute begins: In the Margin at the beginning of the Statute is the following Memorandum:* Istud Statutū exar̃ ꝓ ceram Gildaule: *and at the End of the Statute is written*; Istud Statuť est vere exam̄ ꝓ statutū sigillatū in cera in Gildaula Lond.

Anno 4° EDWARDI, I. A.D.1275, 1276.

Officiū Coronatoris.

THE OFFICE OF THE CORONER.

Of what things a Coroner shall inquire.

A CORONER of our Lord the King ought to inquire of these Things, [if he be certified by the King's Bailiffs, or other honest Men of the Country: First, he shall go [1]] to the Places where any be slain, or suddenly dead, or wounded, or where Houses are broken, or where Treasure is said to be found, ([2]) and shall forthwith command four of the next Towns, or five or six, to appear before [him [3]] in such a place: and when they are come thither the Coroner upon the Oath of them shall inquire in this manner, that is to wit; [If they know where the Person was slain, whether it were in any house, field, bed, tavern, or company,[4]] and who were there: Likewise it is to be inquired, who were culpable either of the Act, or of the Force, and who were present, either Men or Women, and of what age soever they be, if they can speak, or have any Discretion: and how many soever be found culpable by Inquisition in any of the manners aforesaid, they shall be taken and delivered to the Sheriff, and shall be committed to the Gaol: and such as be founden, and be not culpable, shall be attached until the coming of the Justices, and their Names shall be written in ([5]) Rolls. If it fortune any such Man be slain, which is found in the Fields, or in the Woods, first it is to be inquired, whether he were slain in the same Place or not; and if he were brought and laid there, they shall do so much as they can to follow their steps that brought the body thither, whether he were brought upon a horse, or in a cart, ([6]): It shall be inquired also, if the dead Person were known, or else a Stranger, and where he lay the night before; and [if any be found culpable of the Murther,[7]] the Coroner shall immediately go unto his House, and shall inquire what Goods he hath, and what Corn he hath in his Graunge; and, if he be a Freeman, they shall inquire how much Land he hath, and what it is worth yearly; and further, what Corn he hath upon the Ground: And when they have thus inquired upon every thing, they shall cause all the Land, Corn, and Goods to be valued, in like manner as if they should be sold incontinently, and thereupon they shall be delivered to the whole Township, which shall be answerable before the Justices [for all [8]]; and likewise of his Freehold, how much it is worth yearly over and above the Service due to the Lords of the Fee; and the Land shall remain in the

Homicide.

Commitment of the Offenders.

One found slain.

Inquisition of the Lands and Goods of the Offenders.

[1] FIRST, *when the Coroners of our Lord the King have a command from the King's Bailiffs, or from the good Men of the Country, to go*

[2] *they ought to go forthwith;* [3] *them*

[4] *If it be concerning a Man slain, first it is to be enquired where he was slain; to wit, whether it were in a Field, or in a House, or at any Wrestling, or at a Tavern, or in any Company,*

[5] *the Coroner's*

[6] *if perchance he were brought by cart or horse*

[7] *if any such be slain of whose murther any be found culpable,*

[8] *for the same*

Ex MS. Harl. No. 667. fo. 222, b.

HEC sunt inq'renda a Coronatoribꝫ dñi Regis. In primis qñ Coronatores dñi Regis ħent mandatū, a ballivis dñi Regis vel a ꝑbis hominibꝫ pr̃ie, qđ accedant ad occisos vel subito mortuos, vel vulneratos, vel domoꝝ fractores, vel ad locū ubi dicitur Thesaurū esse inventū, statim accedere debent, & statim mandare debent quatuor villat̃ vicinas, vel quinq̧, vel sex, qđ sint coram ip̃is in tali loco: Et cum veñint ibi Coronatores ꝑ sacramētū illoꝝ debent face inq'sitiōem in hac forma; scil; si fuit de homine occiso, primo est inquir̃ ubi occisus fuit, scil; an in campo, an in domo, an ad [luctam,[1]] an ad tabernam, an ad cong^e^gationē: et si q's vel qui ibidem fuint: Similit est inquir̃ qui vel quales culpabiles fuerint, sive de facto sive de forcia, et [quis fuerit in curia, et qui ibidem fuerint [2]] hōies vel femine, cui⁹cūq̧ fuint etatis, dum tamē loqui sciant et ħeant discr̃onē aliquā: Et quot inventi fuint culpabiles per inquisitionē aliquoꝝ ꝑdc̃oꝝ modoꝝ, capient^r^ et liberent^r^ Vicec̃, et ponantur in Gaiolam: Et quot inventi fuint qui non sint culpabiles, attachient^r^ usq̧ adventū Justiciar̃, et nōia eoꝝ omniū in rotulis Coronator̃ scribentur. Si quis autē talium occisus fuit in campis, vel in boscis, et inveniat^r^; Primo videnđ est utrum ibi occisus fuit vł nō, si forte ibi deferetur, sequant^r^ vestigia si sciri potest eoꝝ qui corpus ibi detulerunt vel equi duxerint vel caretta, si forte caretta deferat^r^ vel equo: Inquiratur etiam si interfectus notus fuit vel ignotus, et ubi nocte illa precedente fuit hospitatus: Si autē h⁹i occisi fuerint, de quibꝫ dicatur quod sint culpabiles, statim accedant Coronatores ad domos illoꝝ, et inquirent que catalla ħuerunt, vel que blada in Grangia; Et si liber fuerit, quam terram ħeat et quid valeat ꝑ annū, sive q̃ blada ħeat in terra: et cum ita adquisierint de om̄ibꝫ, appreciar̃ facient terram bladū, et catalla, sicut statim vendi possunt, & liƀent^r^ [tot villatis ꝑximis [3]] ad respondenđ de ꝑdc̃is coram Justiciar̃: Similit de terra libera quantū valeat ꝑ annū, salvo servicio dñoꝝ feodi; et [teneant terram[4]] in manū

[1] { luttariam *MS. Cott. Vesp. B. VII.*
lectum *Old Printed Copies.*

[2] qui fuerint in presencia *Old Printed Copies.*

[3] tote villate *MS. Cott.*

[4] teneat^r^ ꝯra *MS. Cott.*

dñi Regis, quousq; dñi feodi p ea finē fecint. Hiis inquisitis statim sepelient' corpa mortuoꝝ vel occisoꝝ.

Similiꝑ inquirend est de submersis vel subito mortuis: Et postea videnđ est, de talibꝫ corporibꝫ, utrū sic submersi fuint, vt occisi, vel jugulati, p signum colli (') vel p signū alioꝝ membroꝝ, vel p aliquā lesuram in corpe inventam: Et sic procedendū est in forma ꝑdča: Si non fuint occisi tunc debet Coronator attachiare inventores et oīes alios in societate. De thesauro invento, debet Coronator inquirere qui sunt inventores, et similiꝑ qui inde rettati sunt; et hoc sic sciri potest, [si quis solito ad tabernam accesserit[2]] et diutius sic se ħuerit; pro tali suspectione attachiaꝛ debentur p quatuor vel p sex plegꝫ, vel p plures, si invenire possint. Si autē aliquis fuit appellatus de raptu, appellatus attachiare[1] debet, si apellū recens fuit, et videant signū veritatis, p [ampnū sanguinolentu,[3]] vel hutesiū levatū, et tales attachiari debēt per quatuor plegꝫ, vel sex, si inveniꝛ possint; si autē apellū fuit sine hutesio, et sine signo manifesto, tūc sufficiunt plegii duo. De apello vero de plaga et hꝰi, si plaga fuit mortalis statim capient' appellati, et teneant', donec sciatur si poterit convalesče lesus vel non, qđ si moriatur teneant' rei, sciꝫ culpabiles; Si vero convaluerit attachiantur p quatuor plegios, vel sex, sčđm qđ plaga fuit; [Et de mahemio attachient' p plures quā p quatuor;[4]] Et de simplici autē vulnere sine mahemio duo plegii sufficiunt; Item de oīibꝫ plagis videnđ est que sit longitudo, latitudo, et profunditas, et quibꝫ armis lesus fuit vulnatus et in quo loco corpis: Et si plures inde sint culpabiles, et si plura sint vulnera, et quis qualem plagam fecit: et sic debent oīia irrotulari in rotulo Coronatoris. Si vero aliqui appellati fuint, apellatus de facto capiatur, et apellati de forcia attachiant' salvo, quousq; apellati de facto convincant'. De equis, batellis, carettis, p que aliquis sit infectus, que ꝑprie dicunt' Vavi, aprecient' et tradent' villatis.

De Wrecco maris ubicūq; inveniat', si quis manus imponat attachietur p bonos plegꝫ et salvos, et precium Wreccionis apreciet', et liberetur villatis. Si autē aliquis rettatus fuit de morte alicuiꝰ, (5) capietur et inprisonetur ut supra; Similiꝑ de oīibꝫ homicidiis et [burgatoribꝫ[6]] levetur Hutesiū, sicut alibi est consuetū in Angliam; Et oīes seq'nt' hutesiū et vestigia, si fieri potest, et qui non fecint, et sup hoc convicti fuerint quod noluerint, attachient' qđ sint coram Justiciariis.

[1] funibus stricti, *Old Printed Copies.*

[2] eo quod vixerit delicate et tabernam frequentat *Old Printed Copies.*

[3] { pannos sanguinolentes *MS. Cott.*
{ effusionem sanguinis *Old Printed Copies.*

[4] Si de mahemio, tunc non minus qª qªtuor plegios *Old Printed Copies.*

[5] periclitantis *Old Printed Copies.*

[6] { burgariis & oīibꝫ piclitaꝛ occiš *MS. Cott.*
{ burgalaꝛ periclitant' seu occisis *Old Printed Copies.*

King's Hands, until the Lords of the Fee have made Fine for it. And immediately upon these things being inquired, the Bodies of such Persons being dead or slain shall be buried.

Persons drowned, or suddenly dead.

In like manner it is to be inquired of them that be drowned, or suddenly dead: and after, [such Bodies are to be seen,[1]] whether they were so drowned, or slain, or strangled, by the sign of a cord tied straight about their necks, or [about any of their members, or upon[2]] any other hurt found upon their Bodies: whereupon they shall proceed in the Form above-said: and if they were not slain, then ought the Coroner to attach the Finders, and all other in the company.

Treasure found.

A Coroner also ought to inquire of Treasure that is found, who were the Finders, and likewise who is suspected thereof; and that may be well perceived where one liveth riotously, haunting Taverns, and hath done so of long time; hereupon [he[3]] may be attached for this suspicion by four, or six, or more Pledges, [if he may be found.[4]]

Appeal of Rape.

Further, if any be appealed of Rape, he must be attached, if the Appeal be fresh, and [they must see[5]] apparent sign of truth by Effusion of Blood, or an open Cry made; and such shall be attached by four or six Pledges, if they may be found: If the Appeal were without Cry, or without any manifest Sign or Token, two Pledges shall be sufficient.

Appeal of Wounds or Maim.

Upon Appeal of Wounds and such like, especially if the Wounds be mortal, the Parties appealed shall be taken immediately and kept until it be known perfectly, whether he that is hurt shall recover, or not; and if he die, [the Defendant[6]] shall be kept; and if he recover health, they shall be attached by four or six Pledges, after as the Wound is great or small. If it be for a Maim, he shall find no less than four Pledges; if it be for a small Wound, (7) two Pledges shall suffice; also all Wounds ought to be viewed, the Length, Breadth, and Deepness, and with what Weapons, and in what Part of the Body the Wound or Hurt is; and how many be culpable, and how many Wounds there be, and who gave the Wound, (8) all which things must be inrolled in the Roll of the Coroners.

Principal and Accessary.

Moreover if any be appealed, [of any Act done, as Principal,[9]] they that be appealed of the Force, shall be attached also, [and] surely [kept in Ward,] until the Principals be attainted (10) [or delivered.]

Deodands.

Concerning Horses, Boats, Carts, [&c.] whereby any are slain, that properly are called Deodands, they shall be valued and delivered unto the Towns, [as before is said.]

Wreck of the Sea.

Concerning Wreck of the Sea, wheresoever it be found, if any lay Hands on it, he shall be attached by sufficient Pledges, and the Price of the Wreck shall be valued and delivered to the Towns.

Suspected Persons.

If any be suspected of the Death of any Man being in danger of Life, he shall be taken and imprisoned, as before is said;

Hue and Cry.

In like manner Huy shall be levied for all [Murthers, Burglaries, and for Men slain, or in Peril to be slain,[11]] as otherwise is used in England; and all shall follow the Huy and Steps, [as near as can be;[12]] and he that doth not, and is convict thereupon, shall be attached to be afore the Justices [of the Gaol, &c.]

[1] *it is to be seen of such bodies,*
[2] *by the marks on their limbs, or by*
[3] *they*
[4] *if they can find them.*
[5] *if they see*
[6] *the guilty Persons*
[7] *without a Maim,*
[8] *and what sort of Wound,*
[9] *he that is appealed of the Fact shall be taken, and*
[10] *of the Fact,*
[11] *Homicides and Burglaries*
[12] *if they can so do;*

Statutum de Bigamis.

The STATUTE of BIGAMY.

IN the Presence of [certain Reverend Fathers, Bishops of England, and others of the King's Council,[1]] the Constitutions under written were recited, (2) and after heard and published before the King and his Council; [Forasmuch as all the King's Council,[3]] as well Justices as other, did agree that they should be put in Writing for a perpetual Memory, and that they should be stedfastly observed.

The First Article.

I. Of Aid of the King where there is Warranty.

CONCERNING Pleas where the Tenant excepteth, that he cannot answer without the King; It is agreed by the Justices, and other learned Men of our Lord the King's Council of the Realm, which heretofore have had the use and practice of Judgement, that where a Feoffment was made by the King [with a Deed thereupon, that if[4]] another person by a like Feoffment and like Deed (5) be bounden to Warranty, the Justices could not heretofore have proceeded any further, neither yet do proceed without the King's Commandment had therefore; (6) neither can it be thought that they may proceed.

II. Of Aid of the King where there is no Warranty.

[AND it seemeth also, that they could not proceed in certain Cases,[7]] as where the King hath confirmed or ratified [any Man's Deed to the Use of another,[8]] or hath granted and thing (9) as much as in him is, or [where a Deed is shewed, and Clause contained therein, whereby he ought to warrantize,[10]] and in like Cases they shall not surcease by occasion of [a[11]] Confirmation, (12) Grant, or Surrender, or other like, but, after

[1] All Translations agree in this Reading.

[2] *and recorded,*

[3] *All of whom, of the Council,*

[4] and the Charter thereupon made hath so much in it that

[5] should

[6] *neither can it be thought that, in such case, concerning Lands, Rights, and Possessions being in the King's hand, they may proceed, since the King himself hath no Superior, who can be Judge of him, or his Acts. In like manner also it is agreed, by the same Persons, that concerning Tenements or Wardships, or other things where it would be to the King's prejudice, that upon the answer of the Tenant that which is demanded could or might be lost, the Justices have not proceeded further;*

[7] But in certain Cases

[8] *the Deed of any Man upon another Man's Property;*

[9] to a Man,

[10] where a Deed is shewed forth whereby the King hath rendered any Tenement, and no Clause contained therein, whereby he ought to warantize,

[11] such [12] Ratification

Ex MS. Harl. 395, *fo.* 80.*

IN ꝑsencia venabilium Patrum [[1]Willi Roff eꝑi, Robi Bathoñ & Wellenš eꝑi, Walti Decani Saꝝ, magri [T. de Welenh'm [2]] Archidi Dorš, dñi [Francissi filii Aucursi [3]] dñi Legum, Magri Robi de Scardeburgo Archid, magri [Robi de Suttoñ [4]] Magri [Rici [5]] de Stanes, Magri [T.[6]] de Hospitel de Henigh'm, Walti de [Beythoñ,[7]] Johis de [Clere [8]] Archidi Coventr, Johis de Cobeh'm, Magri Radi de Frenh'm [Nichi [9]] de Stapeltoñ, Willi de Sah'm, Walti de Uptoñ, Willi de [Woubourñ [10]] Willi de Northborou, Salom de Roff, Galfridi Neubaud, et Magri Thom de Sodingtoñ,[11]] recitate fuerūt constitucones subsc'pte & recordate, & ꝑmodum coram dño ℞ & ejus consilio audite & puplicate. [Quia [12]] oms de consilio Justic & alii [recordarūt [13]] qd in Sc'pturam [rediġent [14]] ad ꝑpetuam memoriam, et qd firmit obsvarent'. ¶ Primus Articulus incipit sic. ¶ De ꝑtitis ubi tenens excipit qd sine ℞ respondeī nō possit, cōcordatū est ꝑ Justic & alios sapientes de consilio dñi ℞ qui consuetudinem & usum Judoꝝ hactenus ħuerunt, qd ubi feofamentum fcm fuit ꝑ Regem [Ricm [15]] & carta sr hoc confecta [tatr [16]] se [ħnt [17]] qd si alia ꝑsona ꝑ consimile feofamentū & consimilem cartam teneret' ad Warantiam, Justic ultius [ꝑ eodem [18]] nō poſunt, nc hucusque ꝑcesserūt [etiam n' [19]] sup hoc a Rege ꝑceptū ħuissent [[20]nc videri poī qd in hoi cāu de terris [juribus ac possessionibus [21]] in manu ℞ existentibꝫ ꝑcedeī possunt, cū ipe ℞ supiore non ħeat qui ipm vt fcm suum judicare possit. ¶ Sitr & concordatum est ꝑ eosdem qd de teñ [vt custodiis aut aliis ubi cet ꝑiudm ℞ [22]] sr responsione teñtis amittet' vt amitti possit illud qd petit', Justic ultius non ꝑcesserūt [23]] nc videri poī qd ꝑcedeī possint. ¶ In [cetis [24]] aut casibus utpote ubi Rex confirmavit, vt ratificavit, fcm alicujus in rem alienam vt rem aliq'm [alti [25]] cōcesserit q'ntum in ipo est, vt u' carta ꝑfert' qd ℞ teñ aliquod reddiderit nc clausula aliq' in ea cōtinet' ꝑ q'm Warancia debeat', & in consilibus casibus, nō erit occone hoi confirmacois, ratificacōnis, concessionis seu reddicōnis, aut alioꝝ consilium

De ꝑcedend, ubi defendens dicit se nō respondere sñ Rege.

* The Latin Marginal Notes are from *Lib. Horn, fo.* 75.

[1]—[11] aliquoꝝ epoꝝ Anglie & alioꝝ de consilio regni Anglie, *MS. Cott. Claud. D II; Rot. Bodl: wherewith many MSS. and the Old Printed Copies agree. Lib. Horn, after* ' Walti Decani Saꝝ' *reads* ' &c. recitate.'

[2] J. Wekinh'm *MS. Harl.* 1259: *MS. Lambeth.* 350.

[3] francii falicia *MS. Harl.* 1259

[4] Rogeri de Seytoñ *MS. Harl.* 1259: *MS. Lambeth.*

[5] Rogeri *MS. Harl.* 1259. [6] O. *MS. Harl.* 1259.

[7] boylom *MS. Harl.* 1259.

[8] Clerc *MS. Harl.* 1259: Chere *MS. Lambeth.*

[9] Rich *MS. Harl.* 1259.

[10] Winburne, Johis de Lovetoī, *MS. Harl.* 1259. Wynburñ, Joh de Jonecon, *MS. Lambeth.*

[12] Qui *Lib. Horn: MS. Cott.*

[13] concordarunt *MS. Cott: Rot. Bodl: MS. Harl.* 936.

[14] rediġent' *MS. Cott: Rot. Bodl: MS. Harl.* 936.

[15] *MS. Cott; Lib. Horn; Rot. Bodl; MS. Lambeth,* omit.

[16] tm *MS. Cott.*—tant in *MS. Harl.* 1259.—tantū *Lib. Horn.*

[17] habet *MS. Cott.* [18] procedere *MS. Cott; Lib. Horn.*

[19] nisi *MS. Cott: Lib. Horn.*

[20]—[23] *MS. Cott; Lib. Horn; Rot. Bodl; MS. Harl.* 1259; *MS. Lambeth;* all omit these Sentences; as do many other Manuscripts and the Printed Copies.

[21] vetibꝫ possōibus *MS. Harl.* 936.

[22] ubi custodia, aut aliud ubi esset ꝑjudiciū Regis *MS. Harl.*

[24] ctis *MS. Cott:* aliis *Lib. Horn.*

[25] alicui *MS. Cott: MS. Harl.* 936. alii *Lib. Horn: MS. Harl.* 1259: *MS. Lambeth.*

supcedend, quin postq'm hoc ℞ fuit ostensum sine
De dotibz, &custodibz. dilone ꝑcedatur. ¶ De dotibus mulieꝝ u' [aliq' [1]] custodias hereditatis maritoꝝ suoꝝ ħent ex cōcessione vł dono ℞ šu custodes rem petitam teneant šu ħedes dčoꝝ ten̄ vocent' ad Warenť, si excipiant qđ sine ℞ responder nō possint, nō ideo supsedeat' quin in lo-
De p'prestuř &c. quela ꝑdicta ꝑut justum fuit ꝑcedatur. ¶ De p'presturis seu occupačonibus quibzcumq, fčis sup ℞ sive in libtatibus sive [aliis,[2]] cōcordatum est qđ tempe ℞ ([3]) diffinitū erat & consideratum, qđ ubi occupatores supstites fuint Rex de plano resumat [rem talr[4]] occupatam de manibz occupanciū, qđ etiam in [cuř ℞[5]] decefo observet'. Et si aliquis de hu⁹i resumpčone conq'ratur
DeBygamis. ꝑut justum fuit audiat'. ¶ De Bigamis quos dñs pp[6] in consilio Lugduñ oīi ꝑvileg̃ clicali p'vavit ꝑ constitučom inde editam & uñ quidam ꝑlati illos qui effči fuint bigami ante ꝑdčam constitučom qī de felon̄ rettati fuint tanq'm clicos exigūt sibi libandos; concordatum est & declaratum coram ℞ & cōsilio suo qđ constitučo illa intelligenda est qđ sive effči fuint Bigami ante ꝑdčam constitučom, sive post decefo non
Ubi quis tenet' Warantizare. libent' ꝑdčis ꝑlatis: Immo fiat de eis justicia sicut de laicis. ¶ In cartis auť ubi continent' dedi & cōcessi sc. talia ten̄ &c. sine homag̃, vł sine clausula que contineat Waranť tenend de donatore, & de ħedibus suis, ꝑ ꝛtum ꝟvicium, concordatum est ꝑ eosdem ([6]) qđ donator & ħed sui teneant' ad [Warantum;[7]] ubi auť continet' dedi concessi &c. tenend de capiť dñis aut de aliis q[8] de feoffatore vł suis ħedibus nullo ꝟvičo s' retento sine homag̃ vł sine ([8]) clausula [&c.[9]] ħedes sui nō tenent' ad Waranť; ipe tī feoffator in vita sua tīm rone doni ꝑprii tenet' Warantizař. ¶ Predicte [due[10]] constitučones edite fuint ([11]) in pliamento post festum Sči Michis anno R. ℞ E. ([12]) quarto & extūc locum ħebunt.

[1] alique mulieres *Lib. Horn.*
[2] alibi, 2 *Inst.*—in aliis, *MS. Lambeth: Printed Copies.*
[3] H. *Printed Copies.* [4] totalr rem *MS. Lambeth.*
[5] { jure regni *MS. Harl.* 936. / juř reg̃ *MS. Lambeth.* / regno *Printed Copies.*
[6] Justič *Lib. Horn.* [7] warantizand *MS. Cott.*
[8] dicta *MS. Cott: Lib. Horn.*
[9] { ego et heredes mei, &c. *Lib. Horn.* / warantie *MS. Harl.* 1259.
[10] *Lib. Horn.* omits. In *MS. Harl.* 667, and other Manuscripts, these two last Chapters are given as a separate Statute.
[11] apud Westmonasterium, } *Printed Copies.*
[12] filii Regis H. }

Advertisement made thereof to the King, they shall proceed without Delay.

III. No Aid in Dower for the King's Grantee of a Ward.

CONCERNING the [Endowment [1]] of Women, where [the Guardians of their Husbands Inheritance have Wardship [2]] by the Gift or Grant of the King, [or where [3]] such Guardians be Tenants of the Thing in demand, or [if [4]] the Heirs of such Lands be vouched to Warranty, if they say that they cannot answer without the King; they shall not surcease upon the Matter therefore, but shall proceed therein according to Right.

IV. Purprestures, or Usurpations upon the King.

CONCERNING Purprestures, or any Manner of Usurpations, made upon the King, [within Franchises or elsewhere,[5]] It [was [6]] agreed, and determined in the Time of King Henry, that where such Usurpers were living, the King [should reseise of new [7]] [the Land [8]] so usurped, out of the hands of the Usurpers; the which thing also shall be from henceforth observed in the Realm; and if any do complain upon such Reseisers, he shall be heard like as Right requireth.

V. All Clerks twice married deprived of Clergy

CONCERNING Men twice married, called Bigami, whom [the Bishop of Rome,[9]] by a Constitution made at the Council of Lyons, hath excluded from all Clerks Privilege, whereupon certain Prelates, [when such Persons have been attainted for Felons, have prayed for to have them delivered as Clerks, which were made Bigami before the same Constitution;[10]] It is agreed and declared before the King and his Council, that the same Constitution shall be understood in this wise, that whether they were Bigami before the same Constitution, or after, they shall not from henceforth be delivered to the Prelates, but Justice shall be executed upon them, as upon other Lay People.

VI. What Words in a Feoffment shall bind to Warranty.

IN Deeds also where is contained [*Dedi & concessi tale tenementum,*[11]] without Homage, or without a Clause that containeth Warranty, and to be holden of the Givers, and their Heirs, by a certain Service; It is agreed, ([12]) that the Givers, and their Heirs, shall be bounden to Warranty; and where is contained [*Dedi & concessi, &c.*[13]] to be holden of the Chief Lords of the Fee, or of other [and not of Feoffors, or of their Heirs,[14]] reserving no Service, without Homage, or without the foresaid Clause, their Heirs shall not be bounden to Warranty; notwithstanding, the Feoffor ([15]) during his own Life, ([16]) by Force of his own Gift, shall be bound to warrant.

All these Constitutions aforesaid were made at Westminster, in the Parliament next after the Feast of Saint Michael, the Fourth Year of the Reign of King Edward, Son of King Henry; and from that Time forth they shall take effect.

[1] Dower
[2] *any have the Wardship of the Inheritance of their husbands*
[3] whether [4] that
[5] *in Franchises or in other matters*
[6] is agreed as it was [7] shall plainly resume
[8] *the Thing*
[9] *our Lord the Pope—Ferrers* 1534, *reads* Our Holy Father the Pope—*Ferrers* 1542, Our Holy Father the Bishop of Rome—*Berthelet* 1543, *and succeeding Translations, as the Text.*
[10] when such Persons, as were twice married before the same Constitution, have been called in question for Felony, have prayed for to have them delivered as Clerks,
[11] *I have given and granted such Tenements, &c.*
[12] *by the same Justices* [13] *I have given and granted, &c.*
[14] *than of the Feoffor or his Heirs*
[15] himself [16] *only*

Statut' de Justic' assign'; q'd vocat' Rageman.

A STATUTE CONCERNING JUSTICES BEING ASSIGNED; CALLED RAGEMAN.

Appointment of Justices, to hear and determine certain Offences.

IT is accorded by our Lord the King, and by his Council, That Justices shall go throughout the Land to inquire, hear, and determine all the Complaints and Suits for Trespasses committed within these Twenty-five years past, before the Feast of Saint Michael, in the fourth year of King Edward; as well by the King's Bailiffs and Officers as by other Bailiffs, and by all other Persons whomsoever; except Appeals of Felonies, and except the Complaints and Suits pending elsewhere before the King's Justices, or in the County Court by Writ or without Writ; so nevertheless that they do hear and determine the Causes depending before them: And this is to be understood as well of outrageous Takings, and all Manner of Trespasses, Quarrels, and Offences done unto the King and others, touched in the Inquests heretofore found by the King's Command, as of Trespasses committed since; and especially of Trespasses since committed by any Bailiffs whomsoever, against the good Men by whose Oaths those Inquests were made. And the King willeth, that for Relief of the People and speedy Execution of Justice, That the Complaints of every one be heard before the aforesaid Justices, and determined, as well by Writ as without, according to the Articles delivered unto the same Justices, and this is to be understood as well within Franchise as without.

Offences against Statutes.

Also the King willeth that the same Justices do hear and determine the Complaints of those who will complain of Matters done by any one contrary to the King's Statutes, as well

Proceedings against Offenders.

of what concerneth the King as the People. And the King willeth of those also who are attainted of Trespasses, where Amerciament only appertaineth, that the Plea shall be finally determined, and the Amends forthwith made to the Plaintiff.

Amends to the Plaintiffs.

And concerning those who may be attainted of Trespass, where Fine or Imprisonment lieth or appertaineth, the Amends shall forthwith be adjudged to the Plaintiff, and Execution thereof shall be had without Delay; and the Trespassors shall be put by good Mainprise to appear before the King's Justices at the Parliament next ensuing, if they can find

Punishment by the King in Parliament.

Mainpernors; and if not, they shall abide in Prison: and the Justices shall make Inquiry by their Office, of their Lands and Goods, and of the manner of the Trespass, and shall thereof certify the King at the same Parliament, so that he may then punish them according to their Desert. And

The Parties shall not be troubled by Barretors.

because the King's Court ought to be favourable in such manner of Causes, the King willeth, and doth enjoin his Justices, that none, in complaining nor answering, shall be surprised or troubled by Trickers or Barrettors, whereby the Truth may not be found out, and Offenders remain unpunished, until the next Parliament. And Moreover let the Justices have regard to the Time of War, and to the Covenants made in such Time, so that by occasion thereof no Man shall be troubled for the aforesaid Covenants.

Ex MS. Harl. 395, fo. 73, b.

ACORDE est p nr̃e Seignur le Rey, & par soun Counseil, qe Justices ailent pmi la terre, a enquere e oier, e t̃miner les pleintes, e les quereles de trespas feez dedenz ses xxv aunz passez, avaunt la Seint Michel Lan du Regne le Rei Edward, (1) quart; ausi bien des Bailifs e des Ministres le Rey, com des autres Baillifs, e autres gens queus qe il seient; fors pris apeaus de felonies, e hors pris les pleintes, & les quereles qe apendent ailurs devaunt les Justices le Rei, ou en Counte, p bref, ou sanz bref; issint nep'q'nt qe les poles devaunt eus [a t̃miner,[2]] que il les oient & t̃minent: E coe fet a entendre ausi bien des out'iouses p'ses e de totes maneres de trespas, conteks, offenses, fetz au Rey e as autres, tochez en les questes nad gueres fetes p comaundeñt le Rey, com̃ des trespas puis fetz. E nomement de trespas fetz puis p Bailifs, quel qe il seit, a les bones gens p qui serement les enquestes [ꝛunt fetes.[3]] ¶ E veut le Rei qe p' le allegaunce del poeple, e pur haster dreit, qe les pleintes de checun seient oyz devaunt les avauntdiz Justices, e t̃minez, ausi bien p bref com saunz bref, solum les articles bailez a memes ceux Justices. E coe fet a entendre ausi bien de denz f'nchise com̃ dehors. ¶ Ensement veut le Rey qe memes ceus Justices enquergent, oient, & t̃minēt, les pleintes de ceus qe pleindre se vodrent, de coe qe hom est venuz encontre les Estatuz le Rei, ausi bien de coe qe touche le Rey come le Poeple. ¶ E veut le Rey qe ausi bien qe ceux qe ꝛunt atteinz de trespas, ou solement aꝛciemēt apend qe la parole seit finablem̃t t̃mine, & les amēdes hastivem̃t fetes as Pleintifs. ¶ Endreit de ceus qe ꝛunt atteinz de trespas, la ou raunson ou enp'sonment gist ou apend, seient les amendes hastiment jogez al pleintif, e de coe le execucioun seit fet saunz delai; e les trespasours seient mys p bone meinp'se, a estre devaunt le Rey a pchein plement siwaunt, si il pussent meinpnurs trover: E si noun, demoergent en p'son; E les Justices enquergent [de lour poer en terres, e en ewes, de ceus qe pleindre se vodrent,[4]] & de la mañe del trespas, e de coe ꝛtefient le Rei a memes le plem̃t, issint qe il les pusse adunke punir solom lour deserte. ¶ E p'coe qe en teus maneres de quereles deit la court le Rey estre favorable; veut le Rei, e enjoint les Justices, qe nul, enquerelaunt, ne enresponant seit suppris ne achesone p [hoketours ou barettours,[5]] p quei la ꝛite ne seit suy, e les trespassours remaignent despuniz deques au Parlemēt (6): E sur coe eient les Justices regard en tens de gerre, e as covenaunz fetz en meme le tens, issint qe p acheson [de touz ceus[7]] nul ne seit greve p les covenantz avauntdites.

Cap^m. p^m.

Cap^m. ij.

Cap^m. iij.

Cap^m. iv.

Cap^m. v.

Cap^m. vj.

[1] fiz le Rey Henri, *MS. Harl.* 667.
[2] attames *Old Printed Copies.* [3] furent sues *MS. Harl.*
[4] de lour poer de lour teres e de lour byens, *MS. Harl.*; de lour poer en ꝛrez & en biens, *MS. Cott. Vesp. B. VII.*; de lour office, & en vewes de ceux, que prendre se vodront, *Old Printed Copies.*
[5] hokez ne p mauveyses paroles, *MS. Harl.*; hokettez ne p baretz, *MS. Cott. Vesp.*
[6] issint que le Rey les pusse punir cū avāt est dit *MS. Harl.*
[7] de cel temps *MS. Cott. Vesp.*; de nul fet fete en meisme le tens *MS. Harl.*

Anno 6° EDWARDI, I. A.D. 1278.

Statuta Gloucestr'.

THE STATUTES OF GLOUCESTER.

*Ex magno Rot. Stat. in Turr. Lond. m. 47.**

LE an de g^ce M°CC°Lxxviij. e del Regne le Rey Edward, fiz le Rey Henri sisme, a Gloucestre Le mois de Aust, purveaunt mesme le Rei, pur Le amendement de sun reaume, e pur [plus [1]] plenere exhibicion de dreit, si com le profit de office regal demaunde, appelez les plus descrez de sun regne, ausi bien des greindres, cum des meindres: establi est e concordaument ordeine, qe cum mesme le regne en plusurs divers cas, ausi bien de fraunchises, com de autre choses, en les queles avaunt lei failli, e a eschuire les tresgrefs damages, e les nient numbrables desheritesuns, Les quels icel manere defaute de lei fist, a la gent du reaume, eit mester de divers supplecions de lei, e de noveles purveaunces, les estatutz ordeinemenz e purveaunces suz escrites de tute la gent del regne, desoremes fermement seient gardez.

¶ CUM Prelatz, Cuntes, Baruns, e autres del regne, cleiment aver divers fraunchises, a les quels examiner, e jugger, le Rey a mesmes ceus Prelasz, Cuntes, Baruns e autres, aveit done jour; Purveu est, e concordaument graunte, qe les avauntdiz Prelasz, Cuntes, Baruns, e autres, tels manere de fraunchises usent, issint qe rien ne lur acresse par usurpacion, ou occupaciun, ne ren sur le Rei occupent, desqe a la ꝑcheine venue le Rei par le Counte, ou a la ꝑcheine venue de Justices errauns, a comuns plez, en mesme le Counte, ou desqe le Rei comaunde autre chose: Sauve le dreit le Rei, cum il envodra parler, solom ceo qe il est cuntenu en le bref le Rei. E de ceo soient maunde brefs, as Viscuntes, Baillifs, e autres, pur chescun demaundaunt; e seit la forme del bref chaungee, solom la diversete dez fraunchises, les quels chescun cleime aver. ¶ E les Viscuntes par tutes lur baillies, ferunt communement crier, ceo est asaver, en Cites, en Burgs, en viles marchaundes, e aillours, qe tuz ceus, qi aucunes fraunchises cleiment ꝑver, par les chartres les predecessurs le Rei, Reis de Engleterre, ou en autre manere, seient devaunt le Rei, ou devaunt Justices en eire, a certeins jour e leu, a mustrer quel manere de fraunchises il cleiment aver, e par quel garaunt. E les Viscuntes meimes, dunqes serrunt iloeqes personeument, od lur Baillifs, e lur Menistres, a certefier le Rei, sur les avauntdites fraunchises, e autres choses, qe celes fraunchises touchent. E ceste criee, devaunt le Rei cunteigne garnisement de treis semeines. E En mesme la manere ferunt les Viscuntes crier en eire de Justices, e en mesme la manere serrount il personeument,

[1] *Reg. A.* omits.

THE Year of Grace MCCLXXVIII, and the Sixth of the Reign of King Edward Son of King Henry, at Gloucester, in the month of August, the King himself providing for the Amendment of his Realm, and for a fuller Administration of Justice, as the good of the Kingly Office requireth, having called unto him the more discreet persons of his Kingdom, as well of the greater as of the less: It is Established and Ordained with one accord, That Whereas the same Kingdom, in many divers Cases, as well of Franchises as of other Things, wherein aforetime the Law hath failed, and to avoid the grievous Damages and innumerable Disherisons which this Default of the Law hath caused to the People of the Realm, hath need of divers Additions to the Law, and of new Provisions, therefore the Statutes, Ordinances, and Provisions under-written should be stedfastly observed by all the People of the Kingdom.

Franchises claimed may be used till Trial had.

WHEREAS the Prelates, Earls, Barons, and others of the Kingdom, claim to have divers Franchises, for the Examination and Judgement whereof the King had appointed a day to the said Prelates, Earls, Barons, and others: It is Provided and granted with one accord, that the aforesaid Prelates Earls Barons, and others, may use such sort of Franchises, so that nothing accrue to them by Usurpation or Occupation, and that they occupy nothing against the King, until the next coming of the King through the County, or the next coming of the Justices in Eyre for Common Pleas into the same County, or until the King shall otherwise order: Saving the King's Right when he shall put the same in Suit, according to what is contained in the King's Writ. And hereof Writs shall be issued to the Sheriffs Bailiffs and others, in Behalf of every Demandant; and the Form of the Writ shall be changed according to the Diversity of the Franchises that each man claimeth.

Proceedings on Claims to Franchises.

And the Sheriffs shall cause it to be commonly proclaimed throughout their Bailliwicks, that is to say, in Cities Boroughs Market Towns and elsewhere, that all those who claim to have any Franchises by the Charters of the King's Predecessors, Kings of England, or in other manner, shall come before the King or before the Justices in Eyre, at a certain day and place, to shew what sort of Franchises they claim to have, and by what Warrant. And the Sheriffs themselves shall then be there in their proper persons, with their Bailiffs and Officers, to certify the King upon the aforesaid Franchises and other matters touching the same. And this Proclamation before the King shall contain Warning of three Weeks. And in like manner shall the Sheriffs make Proclamation in the Circuit of the Justices; and in like manner shall come in their proper persons, with

* The whole of this Statute, as here given from the Tower Roll in French, is entered, with some Variations, in a Register-Book of the Time, marked A. among the Records in the Treasury of the Court of the Receipt of the Exchequer, preserved in the Chapter House at Westminster; fo. 276; A Copy or Translation of the Statute in Latin is given in fo. 272 b. &c. of the same Register; as also in the *Liber Custumarum* in the Town Clerk's Office, London; and in other Manuscripts. The Tower Roll being injured and illegible in some places, the Words defective have been supplied from the French Entry in the Register Book A., and are distinguished by being included in Brackets without any Figure of Reference. In *MS. Cott. Claudius D. II.* the Statute is given in French; with a Note at the End 'Ex' p rotulum,' and agrees very exactly with the Statute Roll in the Tower. In that Cotton Manuscript, and in very many other Manuscripts, the Introductory Part of the Statute relating to Franchises is given in Latin, with some Variations from the French Text, as a separate Statute, *de Quo Warranto* or *de Libertate clamanda*. The Roll of Statutes in the Bodleian Library, No. 1036, *MS. Cott. Vespas. B.VII*, and very many other MSS. give this Statute of Gloucester, in French, commencing only with a short Introduction something similar to the first Paragraph of the Statute on the Tower Roll, and then proceeding to Chapter I. respecting Damages in Novel Disseisin. The Old Printed Copies give this Statute with a like short Introduction in French: and also give a Copy of the Introductory Part in Latin, as a Statute of Quo Warranto, 30 Edw. I. In all English Editions of the Statutes previous to Hawkins's Edition, a Translation of the short Introduction is given at the Beginning of the Statute, and the Translation of the Latin Introduction is given as a Statute of 30 Edw. I. In Hawkins's and subsequent Editions the Original of the French Introduction on the Tower Roll is given without a Translation; and a Translation of the Latin Introduction is given without the Original.

their Bailiffs and Officers, to certify the Justices of such sort of Franchises, and other matters touching the same. And this Proclamation shall give warning of forty days, as the common summons containeth; So that if the Party who claimeth the Franchise come before the King, he shall not be put in Default before the Justices in Eyre; forasmuch as the King of his special Grace hath granted that he will save the Party harmless in respect of this adjournment. And if any such Party be impleaded upon such sort of Franchises before two of the aforesaid Justices, the same Justices before whom the Party is in Plea, shall save him harmless before other Justices; and the King likewise before himself, when he shall know from the Justices that the Party was in Plea before them, as it is before said. And if they that claim to have such Franchises come not at the day aforesaid, then the Franchises shall be taken into the King's hand by the Sheriff of the place, in name of Distress; so that they shall not use such sort of Franchises until they come to receive Justice. And when they come upon that Distress, their Franchises shall be replevied, if they demand them; upon which Replevin they shall answer forthwith in the form aforesaid. And if peradventure the parties except, that they ought not to answer thereupon without an original Writ, then if it can be known that they have, by their own act, usurped or occupied any Franchises upon the King or his predecessors, they shall be told forthwith to answer without Writ; and shall thereon receive such Judgment as the King's Court shall award. And if they alledge further that their Ancestor or Ancestors died seised of the same Franchises, they shall be heard, and forthwith Inquiry shall be made of the Truth, and according thereto the Justices shall proceed in the business. And if it be found that their Ancestor died seised thereof, then the King shall have an original Writ out of his Chancery in the form made for that purpose. "The King to the Sheriff, Greeting: Summon by good summoners such an one, that he be before Us, at such a place, upon our next coming into the County; or before our Justices at the first Assises, when they shall come into those parts; to shew by what Warrant [he holds his View of Frank-pledge in his Manor of N. in the same County; and let the Sheriffs have there the Summoners and this Writ: or thus; by what Warrant he holds the hundred of B. in the County aforesaid: or thus; by what Warrant] he claims to be quit of Toll, for him or his men, throughout our Realm, by continuance after the death of such an one late his predecessor. And have there the summoners and this Writ." [And the Forms of the Writs shall be charged according to the diversity of the Franchises and of the Case, and according to the Discretion of the Chancery, and of the Justices.] And if the Parties come at the day, let them answer; whereupon Replication shall be made, and Judgement given. And if they come not, neither essoin themselves before the King, and the King tarry longer in that County, the Sheriff shall be commanded to cause them to appear at the fourth day; at which day if they come not, and the King tarry longer in that County, the proceeding shall be as it is in the Circuit of the Justices. And if the King depart out of that County, the Parties shall be adjourned unto a short day, and shall have reasonable delays according to the discretion of the Justices, as in actions personal. And the Justices in Eyre shall proceed herein, in their Circuits, according to the Ordinance aforesaid, and according as such sort of Pleas ought to be proceeded upon in the Eyre.

Seiser of Franchises on Non-Appearance.

Exception for Want of Original Writ.

Proceedings on Claim of Franchises by Seisin of Ancestors.

Form of Writ.

Proceedings on such Writ.

Concerning Complaints made and to be made of the King's Bailiffs, and of other Bailiffs, it shall be done according to the Ordinance before made thereof, and according to the Inquests before had thereupon. And the Justices in Eyre shall do therein, according to what the King hath enjoined them, and according to the Articles which the King hath given them in charge.

Complaint against Bailiffs.

od lur Baillifs, e lur Menistres, a certefier les Justices de tel manere de fraunchises, e de autre choses, qe celes fraunchises touchent. E ceste criee conteigne garnisement de quarante jours, si com la commune somounse content; issi qe si la partie, qe cleime aver fraunchise, seit devaunt le Rei, ne seit pas mis en defaute devaunt les Justices en Eire; pur ceo qe le Rei de sa grace especiale, ad graunte qe il gardera la partie de damage, quant a cel ajornement. E si cele partie seit en plai, sur tels manere de fraunchises, devaunt une peire de Justices avauntdiz, mesmes les Justices, devaunt les quels la partie est en plai, garderount la partie de damage devaunt autres Justices; E le Rei devaunt lui mesmes, mes qe il sache par les Justices qe la partie fust en plai devaunt eus, si com il est avauntdit. E si cels, qi tels fraunchises cleiment aver, ne veignent al jour avauntdit, dunqes seient les fraunchises, en nun de destresce, pris en la main le Rei, par le viscunte del liu; issi qe il tel manere de fraunchises ne usent, desqe il viegnent a receivre dreit. E quant il veinent par cele destresce, lur fraunchises lur seient replevies, si il les demaundent; les quels replevies respoignent meintenaunt en la forme avauntdite. E si par aventure les parties excepent, que il ne deivent nent de ceo respundre saunz bref original, dunqe si il puisse estre seu qe eus de lur propre fet eient usurpe, ou ocupe aucunes franchises sur le Rei, ou sur ses predecessors, dit lur seit qe meintenaunt respoignent saunz bref; e pus receivent jugement si com la Curt le Rei agardera. E si il dient outre, qe lur auncestre, ou lur auncestres de meismes les fraunchises morurent seisis, seient oiz, e meintenaunt, seit la verite enquise, e solom ceo aillent les Justices avaunt en la bosoigne. E si il seit trove, qe lur auncestre en morust seisi, dunqes eit le Rei bref original de sa chauncelerie, en la forme fete de ceo. ¶ Le Rei maunde saluz au viscunte: Sommonez par bons somonours un tel, qe il seit devaunt nus a teu lieu en nostre ꝑcheine venue en cel Cunte, ou devaunt nos Justices a p̄meres assises, cū il en celes ꝑties vendrount, a mustrer par quel garaunt (1) il cleime aver quitaunce de tonnue, pur sei ou ses homes, par tut nostre reaume, [par continuacion apres la mort tel jadis sun p̄decessour. E eiez les somonurs e ceo bref.(2)] E si les parties viegnent al jor, respoignent; e seit replie, e juge. E si il ne viegnent, ne se essoignent devaunt le Rei, e le Rei demoerge outre en cel Cunte, seit comaunde al Viscunte, qe il les face venir al quart jor, al quel jor, si il ne viegnent, e le Rei demoerge outre en cel Cunte, seit fet si com en Eire de Justices. E si le Rei departe del Cunte, seient les ꝑties ajorneez a bref jor; e eient renables delais, jouste les descrecions des Justices, si cum en acciuns psoneles. E les Justices en Eire facent de ceo, en lur eires, solom le ordeinement avauntdit, e solom ceo, qe tel manere de ples deivent estre dedut en eire.

De pleintes fetes, e a fere des Baillifs le Rei, e de autri Baillifs, seit fet solom le ordeinement avaunt fet de ceo, e solum les enquestes de ceo avaunt prises. E de ceo frunt les Justices en eire, solum ceo qe le Rei lour ad enjoint, e solum les articles, qe le Rei lur ad livere.

(1) il tient sa veue de fraunk plegg̃ en sun maner de N. en meme le Cūte, & le visconte eit illoqes *les somonurs* & ceo bref. Ou issi, par quel garaunt il tient le hūdred de B. en le Cunte avantdit. Ou issi, par quel garaunt, *Reg. A. The Latin Copy has some Sentences, similar in their Import.*

(2) & seient les formes de briefs chaungez sulum la diꝑsete des fraunchises, & de cas, & solum la descreciū de la Chauncelerie, & de Justicerie. *Reg. A. But the Latin Copy has not similar Sentences.*

¶ Cum avaunt ces houres, damages ne fussent agardez, en assise de novele disseisine, fors taunt soulement vers les disseisisurs: Purveu est, qe si les desseisisours alienent les tenemenz, e ne eient dunt les damages pussent estre levez, qe ceus en qi mains icels [tenenemenz [1]] devendrunt, seient charge des damages, issi qe chescun respoigne de sun tens. ¶ Purveu est ensement qe le deseisi recovre damage, en bref de entre sur novele desseisine, vers celui qi est trove tenaunt apres le deseisur. ¶ Purveu est ensement qe la ou en avaunt ces houres, damages ne furent agardez en ple de mort de auncestre, fors en cas la ou tenement fu recovere vers chief seignour, qe desoremes damages seient agardez en touz cas, ou em recovere par assise de Mort de auncestre, si com est avauntdit en assise de novele disseisine. En mesme la manere recovre lem damages, par bref de cosinage, del ael, e del besael. [[2] et lou avant cez heurez dam̃ ne furent taxez, fors a la value [del issue [3]] de la t̃re, [q̃ le demandant p̃nt & poet p̃ndre desormes recoṽe [4]] v̄s le tenant les coustagez de son b̃f purchace, ensemblem̃t ove les dam̃ avauntditz; et tout ceo soit tenu en tout cas ou hom̃e recoṽe damagez.[5]] ¶ E seit desoremes en mesme la manere chescun tenu a rendre damages, la ou em recovre vers lui, de sa entrusiun, ou de sun fet demeisne.

¶ E si enfaunt dedenz age, seit tenu hors de sun heritage apres la mort sun Cusin, Ael ou Besael, par quei il coveigne qe il purchace bref, e sun ad̄saire veigne en Curt, e enresponaunt allegge feffement, ou autre chose die, par quei Justices agardent enqueste la ou enqueste fu delae desqe al age, si passe ore lenqueste, ausi cum il fu de age.

¶ Establi est ensement qe si home aliene tenement qil tient par la lei de Engleterre, sun fiz ne seit pas barre, par le fet sun pere, par qi nul heritage ne lui est descendu, a demaunder, e recovrer par bref de mort de auncestre la seisine sa mere, tut face la chartre sun pere menciun qe lui e ses heirs seient tenuz a la garauntie. E si heritage lui seit descendu par sun pere dunqe seit il forclos de la value del heritage qe lui est descendu. E si en tens apres heritage lui descent par mesme la pere, dunqe avera le tenaunt vers lui recoverer de la seisine [seisine [6]] sa mere, par bref de jugement, qe istra des roules des Justices devaunt les quels le plai fu pleide, [e [7]] resomoundre sun garaunt, si cum ad este fet en autre cas, ou le garaunt vint en curt, e dist qe rien ne lui est descendu [de [8]] lui par qui fet il est vouche. En mesme la manere le issue del fiz par bref del ael, cosin, e del besael. ¶ Ensement en mesme la manere ne seit le heir la femme, apres la mort le pere e la mere, barre de accion par la chartre sun pere, si il demaunde le heritage ou le mariage [la [9]] mere, par bref de entre, qe sun pere en tens sa mere aliena, dunt nule fin est levee en la Curt le Rey.

[1] tenemenz

[2]—[5] This Sentence is not in the Tower-Roll, nor in *MS. Cott. Claud. D. II*; nor in *Register A.* either in French or Latin, nor in the Roll of Statutes in the Bodleian. Several other Manuscripts also omit it. But several Manuscripts, as well of a Date nearly cotemporary with the Statute, as of a later Date, insert it; particularly *Lib. Nig. Æd. Christi, Dubl: Lib. Horn, Lond: MSS. Harl.* 493 *A*; 867; 1690. *MS. Cott. Vesp. B. VII*; from which latter it is here printed. It has been given, with the Variations noted, in all Printed Copies of the Statutes; and is translated in *MS. Tr.* 1.

[3] des issues *Printed Copies.*

[4] purveu est que le demaund puisse recover *Printed Copies.*

[6] erroneously repeated.

[7] a *Reg. A: Printed Copies.* [ad resumonendū *Reg. A. Latin Copy.*] [8] dupar *Reg. A.*

[9] sa *Reg. A.*

WHEREAS heretofore Damages were not awarded in Assises of Novel Disseisin, but only against the Disseisors: It is Provided, That if the Disseisors do aliene the Lands, and have not whereof there may be Damages levied, that they to whose hand such Tenements shall come, shall be charged with the Damages, so that every one shall answer for his time. It is Provided also, that the Disseisee shall recover Damages in a Writ of Entry upon Novel Disseisin, against him that is found Tenant after the Disseisor. It is Provided also, that where before this time Damages were not awarded in a Plea of Mortdauncestor, but in case where the Land was recovered against the Chief Lord, that from henceforth Damages shall be awarded in all Cases where a man recovereth by Assise of Mortdauncestor, as before is said in Assise of Novel Disseisin: And likewise Damages shall be recovered in Writs of Cosinage, Aiel, and Besaiel.

I. Damages in Novel Disseisin.

In Mortdauncestor,

Cosinage, &c.

And Whereas before Time Damages were not taxed, but to the Value of the Issues of the Land; It is Provided, that the Demandant may recover against the Tenant the Costs of his Writ purchased, together with the Damages abovesaid. And this Act shall hold place in all cases where the Party is to recover Damages.

Where Damages shall be recovered, there Costs also.

And every Person from henceforth (') shall be compelled to render Damages, [where the Land is recovered [2]] against him upon his own Intrusion, or his own Act.

Damages generally.

IF a Child within Age be holden from his Heritage after the death of his [Father,] Cosin, Grandfather, or Great Grandfather, whereby he is driven to his Writ, and his Adversary cometh into the Court, and for his Answer alledgeth a Feoffment, or pleadeth some other thing, whereby the Justices award an Enquest, there, whereas the Enquest was deferred unto the full Age [of the Infant,] now the Enquest shall pass as well as if he were of full Age.

II. No Delay for Nonage of the Demandant.

IT is Established also, That if a Man aliene a Tenement, that he holdeth by the Law of England, his Son shall not be barred by the Deed of his Father, from whom no Heritage to him descended, to demand and recover by Writ of Mortdauncestor, of the Seisin of his Mother, although the Deed of his Father doth mention, that he and his Heirs be bound to Warranty. And if any Heritage descend to him of his Father's side, then he shall be barred for the Value of the Heritage that is to him descended. And if in Time after any Heritage descend to him by the same Father, then shall the Tenant recover against him of the Seisin of his Mother by a judicial Writ that shall issue out of the Rolls of the Justices before whom the Plea was pleaded, to resummon his Warranty, as before hath been done in Cases where the Warrantor cometh into the Court, saying, That nothing descended from him by whose Deed he is vouched. And in like manner the Issue of the Son shall recover by Writ of Cosinage, Aiel, and Besaiel. Likewise in like manner the Heir of the Wife shall not be barred of his Action, after the Death of his Father and Mother, by the Deed of his Father, if he demand [by action] the Inheritance (') of his Mother by a Writ of Entry, which his Father did aliene in the time of his Mother, whereof no Fine is levied in the King's Court.

III. Alienation by Tenant in Curtesy, void.

[1] *in like manner*

[2] *where a Recovery is had*

[3] or the Marriage *MS. Tr.* 1.

IV. Remedy by Cessavit against a Tenant in Fee-farm.

ALSO if a Man let his Land to [Ferm,[1]] or to find Estovers, in Meat or in Cloth, amounting to the Fourth Part of the very Value of the Land, and he which holdeth the Land so charged letteth it lie fresh, so that the Party can find no Distress there, by the Space of two or three years, [to compel the Farmer to render, or to do as [2]] is contained in the Writing [or [3]] Lease; It is established, That the two Years being passed, the Lessor shall have an Action to demand the Land in Demean by a Writ which he shall have out of the Chancery. And if he against whom the Land is demanded come before Judgement, and pay the Arrearages and the Damages, and find Surety, such as the Court shall think sufficient, to pay from thenceforth as is contained in the Writing of his Lease, he shall keep the Land. And if he tarry until it be recovered by Judgement, he shall be barred for ever.

V. Action of Waste extended.

IT is Provided also, That a Man from henceforth shall have a Writ of Waste ([4]) in the Chancery against him that holdeth by Law of England, or otherwise for Term of Life, or for Term of Years, or a Woman in Dower; and he which shall be attainted of Waste, shall leese the Thing that he hath wasted, and moreover shall recompense thrice so much as the Waste shall be taxed at. And for Waste made in the Time of Wardship, it shall be done as is contained in the Great Charter. And where it is contained in the Great Charter, that he which did Waste during the Custody, shall leese the Wardship, It is agreed that he shall recompense the Heir his Damages for the Waste, if so be that the Wardship lost do not amount to the Value of the Damages before the Age of the Heir of the same Wardship.

VI. One Writ of Mortdauncestor for divers Heirs.

IT is Provided also, That if a Man die, having many Heirs, of whom one is Son or Daughter, Brother or Sister, Nephew or Niece, and the other be of a further Degree, all the Heirs shall recover from henceforth by a Writ of Mortdauncestor ([5]).

VII. Writ of Entry in Casu proviso upon Alienation of Dower.

ALSO if a Woman sell or give in Fee, or for Term of Life, the Land that she holdeth in Dower; It is ordained, That the Heir, or other to whom the Land ought to revert after the Death of such Woman, shall have present Recovery to demand the Land by a Writ of Entry made thereof in the Chancery.

VIII. In what Court Pleas of Trespass shall be.

IT is Provided also, That Sheriffs shall plead Pleas of Trespass in their Counties, as they have been accustomed to be pleaded. And that none from henceforth shall have Writs of Trespass before Justices, unless he swear by his faith, that the Goods taken away were worth Forty Shillings at the least. And if he complain of Beating, he shall answer by his Faith, that his Plaint is true. Touching Wounds and Maims, a Man shall have his Writ as before hath been used. And it is agreed, that the Defendants in such Pleas may make their Attornies, where Appeal lieth not; so that if they be attainted ([6]) being absent, then the Sheriff shall be commanded to take them, and ([7]) shall have like Pain as they should have had, if they had been present at the Judgement given. And if the Plaintiffs from henceforth in such Trespasses cause themselves to be essoined after the first Appearance, Day shall be given them unto the coming of the Justices [in Eyre,] and the Defendants in the mean time shall be in Peace. [In such Pleas and other, whereas Attachments and Distresses do lie,[8]] ([9]) if the Defendant essoin himself of the King's Service, and do not bring his Warrant at the Day given him by the Essoin, he shall recompense the Plaintiff Damages for his Journey Twenty Shillings, or more, after the Discretion of the Justices, and shall be grievously amerced unto the King.

Defendants may plead by Attornies.

Essoins by Plaintiffs;

Defendants.

[1] *Fee-farm*
[2] *without making render of the Rent, and without doing that which*
[3] *of* [4] *made thereupon*
[5] *out of Chancery*
[6] of the Trespass *MS. Tr.* 1. [7] *they*
[8] In *MS. Tr.* 1. and the oldest Printed Translations these Words conclude the preceding Sentence. [9] And

¶ Ensement si home lest sa terre a [fe ferme,[1]] ou a trover estovers en vivre, ([2]) en vesture, qe munte a la quarte partie de la verri value de la terre, e celui qi tient la terre issint charge, la lesse gisir frische, issi qe lem ne pusse trover destresce, par deus annz ou treis, saunz ent fere la ferme rendre, ou saunz fere ceo qe est contenu en lescrit del les; estabti est qe apres les deus annz passez eit le lessour accioun a demaunder la terre en demeine, par bref qe il aṽa en la Chauncelrie. E si celui vers qi la terre est demaunde, veigne avaunt jugement, e rende les arrerages, e les damages, e trove seurte tele com la Cort verra, qe seit suffisaunte, a rendre, en apres ceo qe est contenu en le escrit, si retiegne la terre. E si il demoert desqe taunt qe ele seit recovre par jugement, si seit encorue aremanaunt.

¶ Ensement purveu est qe len eit desoremes bref de Wast en la Chauncelrie, [fet de ceo sur] home qi tient par la lei de Engleterre, ou en autre manere a terme de vie, ou a terme de annz, ou femme en doweire, e celui qi serra ateint de Wast perde la chose [qil ad] wastee e estre ceo face gre del trebble de ceo qe le Wast serra taxe. E Endreit de Wast fet en garde seit [fet] solom ceo qe il est contenu en la g^{a}unt chartre. E par [la ou il est contenu] en la g^{a}unt chartre, qe celui qi avera fet wast en garde, pde la garde, acorde est qe il rende al heir les damages del wast, si issi ne seit qe la garde pdue ne soffise my a la value des damages avaunt le age del heir de mesme la garde.

¶ Purveu est ensement qe si home moert e eit plusurs heirs, dunt le un est fiz ou fillie frere ou soer [Nevou ou Nece,] e les autres soient en plus lointeing degre, les heirs eient desoremes recoverer par bref de la Chauncelerie de mort de auncestre.

¶ Ensement si femme vent ou donne en fee ou a terme de vie tenement qe ele tient en dowaire, establi est q̃ le heir, ou autre a qi la terre devereit reṽtier apres le deces la femme, eit meintenaunt recoverir a demaunder [la tere] par bref de entre fet de ceo en la chauncelerie.

¶ Purveu est ensement, qe Viscuntes pleident en Cuntez les plesz de trespas ausi com il soloient estre pleidez. E qe nul eit desoremes bref de trespas devaunt Justices [se il na fie[3]] par fei, qe les biens enportez vaillent qaraunte souz al meins. E si il se pleint de Baterie afie par fei qe sa pleinte est veritable. ¶ De plaies e de mahems eit em bref si com em soleit aver. E graunte est qe les defendaunts pussent fere attornez en tels plaiz, ou apel ne est, issi qe [sil seient atteinz] del trespas en lur absence, seit demaunde al Viscunte qe il seient pris, e eyent dunqe la peyne qil avereient si il eussent este present, quaunt le jugement fu rendu. E si les pleintifs desoremes en tel trespas se facent essoneer apres la primere apparaunce, seit jor done desqe a venue de Justices, e les defendaunz endementers seient en pes en tels plesz, e en autre plesz la ou attachemenz e destresces gisent. E si le defendaunt se face essoneer de ṽise le Rey, e ne porte sun garaunt al jor qi li est done par sun [essoneur,[4]] ([5]) qe il rende al pleintif les damages de la jornee de vint souz, ou de plus solom la descreciun des Justices, e ja le meins en la greve m̃ci le Rey.

[1] { fe *is interlined on the Roll in a later Hand-writing.*
{ ferme *Reg. A*: fee ferme *MS. Cott. Claud. D. II.*
[2] ou *Reg. A.*
[3] si il ne afie *Reg. A.* [4] essoin *Printed Copies.*
[5] { acorde est *Reg. A.*
{ establi est *Printed Copies.*

LE Rey comaunde qe nul bref de la Chauncelerie seit graunte de mort de home, de enquere si home occie autre par mesaventure, ou sei defendaunt, ou en autre manere par felonie, [mes si tel seit en prison, e'] devaunt Justices erraunz, ou Justices assignez a Ghaole deliverer, se met en pays de bien e de mal, e len trusse par pais, qil eit fet sei defendaunt, ou par mesaventure, dunqe par record des Justices, face le Rei sa grace si lui plest.

[[2]Purveu est ensement q̃ nul appel soit abatu si leḡement come avant ad estee, mes si le appellour counte le fait, & lan, & le jour, ([3]) & le temps le Roy, & la ville ou le fait fust ([4]), si estoise le appel: Et mes ne soit apel abatu, p̄ defaute de fresche suite, [p̄ quei[5]] q̃ hōme sue dedeinz lan & le jo^{r} ap̄s le fait.[6]]

¶ Cum il seit contenu en le estatut le Rei, qi ore est, qe deus parceners, ou deus qi tenent en commun, ne pussent fourcher par essoigne, del houre qe il averunt une feiz aparu en curt; Purveu est, qe mesme ceo seit garde e tenu, ou home e sa femme sunt empleidez en la court le Rei. Purveu est ensement en la Cite de Lundres qe si home baut sun tenement a terme de annz, e celui a qi le fraunc tenement est, se face empleder par collusiun e face defaute apres defaute, ou veigne en Curt e voille [rendre[7]] pur fere le [fermer[8]] perdre sun terme, e le tenaunt eit querele issi qe le termer pusse aver recoverer par bref de covenaunt, le Meire e les Baillifs pussent enquere par bone visne, en la p̄sence del termer, e del demaundaunt, le quel le demaundaunt pleida par dreit, qe il aveit, ou par collusiun, ou par fraude, pur fere le termer perdre sun terme: E si trove seit par enqueste, qe le demaundaunt meust sun plai par bon dreit qe il aveit, si seit le jugement furni meintenaunt: E si trove seit qe il pleidast par fraude pur tolir le terme al termer, le execucion del jugement pur le demaundaunt seit suspendu desqe apres le terme passe. En mesme la manere seit fet de equite, en tel cas devaunt Justices, si le termer le chalange avaunt le jugement.

¶ Purveu est ensement qe si home empleide de tenement en mesme la cite, vouche forein a garaunt, qe il veigne a la Chauncelerie, e eit bref a somoundre sun garaunt a c̄tein jour devaunt les Justices del Baunk, e un autre bref au M̄eire e as Baillifs de Lundres, qe il sursesent a la parole qe est devaunt eus par bref, desqe a taunt, qe la parole de la garauntie seit ꝑminee, devaunt les Justices du Baunk; e quaunt la parole au Baunk serra ꝑminee, [e serra dit[9]] al garaunt qe il voist en la cite, e respoigne del chief plai; e le demaundaunt par sa suite eit bref des Justices du Baunk, au Meire e as Baillifs, qe il voisent avaunt en le plai. E si le demaundaunt recovre, veigne le tenaunt as Justices du Baunk, e eit bref al Meire, e as Baillifs, qe si le tenaunt eit sa terre pdue, qe il facent estendre la terre e returnent lestente au Baunk a c̄tein jor; e apres seit maunde al Viscunte del pais, ou le garaunt fu somouns qil lui face aver de la terre del garaunt a la vaillaunce.

[1] si il ne seit en la prisone, & si il seit en la prison, & *Reg. A. On the Tower Roll there is a Blank, of three or four Words' Space, between* felonie *and* mes.

[2–6] This Paragraph is printed from *MS. Cott. Vesp. B. VII. fo.* 24 *b.* It is not on the Tower Roll, nor in Register A. either in French or Latin; nor in *MS. Cott. Claud. D. II*; nor on the Bodleian Roll. It is omitted from *MS. Harl.* 493, which contains the disputed passage in Chapter I. *ante* page 47.—In other respects the Note on that passage applies to this.

[3] le heur, *Printed Copies.*

[4] fait, & de quel arme il fuit occise, *Printed Copies.*

[5] puis *Printed Copies.*

[7] rien dire *Rot. Bodl.*—rendre le tenement *Reg. A.*—reddere ten̄ *Lat.* [8] Termer *Reg. A.* [ꝑminariū *Lat.*]

[9] dit serra *Reg. A.*

THE King commandeth, That no Writ shall be granted out of the Chancery for the Death of a Man to enquire whether a Man did kill another by Misfortune, or in his own Defence, or in other Manner [without Felony;'] [but he shall be put in Prison until the coming of the Justices in Eyre, or Justices assigned to the Gaol-delivery, and shall put himself upon the Country before them for Good and Evil; In case it be found [2]] by the Country, that he did it in his Defence, or by Misfortune, then by [the Report of the Justices to the King,[3]] the King shall take him to his Grace, if it please him. IX. No Writ out of Chancery in certain Cases of Homicide.

It is Provided also, that no Appeal shall be abated so [soon[4]] as they have been heretofore; but if the Appellor declare the Deed, the Year, the Day, the Hour, the Time of the King, and the Town where the Deed was done, and with what Weapon he was slain, the Appeal shall stand in effect; and ([5]) shall not be abated, for Default of Fresh Suit, if the Party shall sue within the Year and the Day after the Deed done. Of Appeals in Cases of Homicide.

WHEREAS it is contained in the Statute of the King that now is, that Two Parceners, or Two that hold in common, may not fourch by Essoin, after that they have once appeared in the Court: It is Provided, That the same be observed and kept, where a Man and his Wife be impleaded in the King's Court. X. One Essoin for Man and Wife.

IT is Provided also, That if any Man lease his Tenement in the City of London, for Term of Years, and he to whom the Freehold belongeth, causeth himself to be impleaded by Collusion, and maketh Default after Default, or cometh into the Court, and giveth it up, for to make the Termor lose his Term, and [the Demandant hath his Suit,[6]] so that the Termor may recover by Writ of Covenant: The Mayor and Bailiffs may inquire by a good Inquest, in the presence of the Termor and the Demandant, whether the Demandant moved his Plea upon good Right that he had, or by Collusion, or by Fraud, to make the Termor lose his Term: And if it be found by the Inquest, that the Demandant moved his Plea upon good Right that he had, the Judgement shall be given forthwith: And if it be found by Inquest that he impleaded him by Fraud, to put the Termor from his Term, [then shall the Termor enjoy his Term, and] the Execution of Judgement for the Demandant shall be suspended until the Term be expired. And in like Manner it shall be of Equity before the Justices in such Case, if the Termor do challenge it before the Judgement. XI. Feigned Recovery in London against a Termor.

IT is Provided also, That if a Man impleaded for a Tenement in the same City, doth vouch a Foreigner to Warranty, that he shall come into the Chancery, and have a Writ to summon his Warrantor at a certain Day before the Justices of the Bench, and another Writ to the Mayor and Bailiffs of London, that they shall surcease in the Matter that is before them by Writ, until the Plea of the Warranty be determined before the Justices of the Bench: And when the Plea at the Bench shall be determined, then shall [he that is vouched[7]] be commanded to go into the City, to answer unto the chief Plea. And a Writ shall be awarded, at the Suit of the Demandant, by the Justices ([8]) unto the Mayor and Bailiffs, that they shall proceed in the Plea. And if the Demandant recover [against the Tenant,] the Tenant shall come before the Justices of the Bench, [which shall direct[9]] a Writ to the Mayor and Bailiffs, that if the Tenant have lost his Land, they shall cause the Land to be extended, and valued, and shall return the Extent at a certain Day into the Bench; and after it shall be commanded to the Sheriff of the Shire, where the [Warrantee[10]] was summoned, that he shall cause him to have as much of the Land of the Warrantor in Value. XII. Vouching a Foreigner in London.

[1] thoru felonie *MS. Tr.* 1.—*feloniously*

[2] *if he be not in Prison; but if he be in Prison, and, before the Justices in Eyre, or Justices assigned to the Gaol-delivery, do put himself upon the Country for Good and Evil, and it be found*

[3] *the Record of the Justices*

[4] lightly

[5] an Appeal

[6] the Termor hath quarrel,

[7] the Party warranted

[8] of the Bench *MS. Tr.* 1.

[9] and have *MS. Tr.* 1.

[10] Warranty

XIII. Waste restrained pending Suit.

IT is Provided also, That after such Time as a Plea shall be moved in the City of London by Writ, the Tenant shall have no Power to make any Waste or Estrepement of the Land in demand, hanging the Plea, [and if he do, the Mayor and Bailiffs shall cause it [1]] to be kept at the Suit of the Demandant. And the same Ordinance and Statute shall be observed in other Cities, Boroughs, and every where throughout the Realm.

XIV. Damages upon Disseisins in London.

THE King of his special Grace granteth unto the Citizens of London, that whereas beforetimes they that were disseised of Freehold in the same City could not recover their Damages, before the coming of the Justices to the Tower, that from henceforth the Disseisees shall have Damages by Recognizance of the same Assise whereby they recovered their Lands; and the Disseisors shall be amerced before Two Barons of the Exchequer, which shall resort once a Year into the City to do it. And it shall be commanded unto the Barons and to the Treasurer of the Exchequer, that they shall cause [it [2]] every Year to be [levied [3]] by Two of them at their rising after Candlemas. And the Amerciaments by Summons of the Exchequer shall be levied to the King's Use, and be delivered at the Exchequer.

XV. Of Breach of Assise in London.

IT is Provided also, That the Mayor and Bailiffs before the coming of those Barons, shall enquire of Wines sold against the Assize, and shall present it before them at their coming, and then (*) shall be amerced, where they were wont to tarry unto the coming of the Justicers [in Eyre.]

Given at Gloucester, [the iiij. day of October, the vj. year of the Reign of King Edward the Son of King Henry.[5]]

[1] *and the Mayor and Bailiffs shall cause this* [2] *this*
[3] done [4] *the Parties*
[5] *the Sunday next* after the Feast of Saint Peter, at the Gule of August, the year aforesaid.

Purveu est ensement, qe del houre qe plai serra meu en la Cite de Lundres par bref, le tenaunt ne eit pas poer de fere Wast ne estreppement du tenement, qi est en demaunde, pendaunt le plai. E ceo face le Meire e les Baillifs garder a la suite del demaundaunt. E mesme le ordenement e statut seit garde en autres citesz, e burgs, e aillors par tut le reaume.

¶ Le Rei graunte de se g͛ce a Citeins de Lundres, qe la ou avaunt ces houres, ceus qi furent deseisi de fraunc tenement en mesme la Cite, ne poeient recoverir lur damages, avaunt venue des Justices a la Tour, qe teus deseisis desoremes eient lur damages par la reconisaunce de la assise par la quele il recovererent lur tenement; e les deseisours seient a̅ciez devaunt [deus [1]] Barons del Escheqer, qi unefoiz par an vendrount en la Cite a ceo fere. E ceo seit maunde al Tresorer e as Baruns, qe il facent chescun an, par deus de eus, apres lur lever de la Chaundelure, e les a̅ciemenz par somounse del Escheqer seient levez, e al eus le Rei a le Escheqer livere.

Purveu est ensement, qe le Meire e les Baillifs, avaunt la venue de ceus Baruns, enquerrunt des [vins [2]] venduz encountre la assise, e le presenterunt devaunt eus a lur venue, e dunqe seient a̅ciez; la ou il soleient atendre la venue des Justices.

Done a Gloucestr̃ [le demeine ꝑcheine apres la feste sein Pere a la Goule de Aust le an avauntdit.[3]]

[1] les *Reg. A.* [2] biens *Rot. Bodl.*
[3] le quart jour de October lan du reigne le roy Edwarde fitz le Roy Henry, vj. *Old Printed Copies.*

Exposition of the Statute of Gloucester.

Commencement of the Statute of Gloucester.

AFTER, by the King and his Justices, certain Expositions were made upon some of the Articles above mentioned; that is to wit; To the first Article, [for Entries by Disseisin,[1]] Damages shall run from the Time of the Statute published. In the same wise in Writs

Ch. 1. Ch. 14.

of Entry upon Disseisin; and (*) in all Writs of Mortdauncestor, Cosinage, Aiel, or Besael, [of Intrusion by [3]] one's own Act by any manner of Writ, Damages shall run after the Writ purchased against them that held [by Statute,[4]] albeit their Ancestors (*) died [seised thereof.] Touching an Inquest to be made of such as

Ch. 2.

be within Age, the Statute shall run without Limitation

Ch. 3.

of Time. Touching Alienation of Lands holden by the Law of England, the Statute shall run for such Lands being aliened after the Time of the Statute published. In like manner the Statute shall extend and run upon the Lands of a Wife aliened by her Husband, whereas

Ch. 4.

no Fine was levied thereof in Court. Touching Lands being let in Fee-ferm, to pay therefore yearly the Fourth Part of the very Value thereof, the Statute shall run as well unto Lands that were leased before the making of the Statute, as after; in case that the Tenant have withholden above the Space of Two Years after the Statute published, so much as he should have paid to his Lessor yearly according to the Form of the Covenant.

Ch. 5, 13.

And as to the Punishment of Waste in all Cases, except it be of Dowers and Wards, it shall be understood of Wastes done sithence the Statute [published.] And of the Forfeiture of Treble in Cases of Wastes of Dowers and Wardships, it shall be understood of Waste

Ch. 7.

committed after the Statute [published.] And as concerning them which do aliene their Dowers, it is to be understood after [the publishing of] the Statute.

Given at Gloucester the Sunday next after the Feast of Saint Peter ad Vincula, the Sixth year of the Reign of King Edward the First.

[1] in case where any have entered by the Disseisor
[2] of Damages *MS. Tr.* 1.
[3] and touching Intrusion, or of
[4] since the Statute, [5] before *MS. Tr.* 1.

Ex Registro A. in Dom. Capit. ap. Westm. fo. 278, *b.*

POSTMODUM p dn̄m Regem, & Justiciar̃ suos, facte sunt quedam explanac̃oes quoꝝdam articlorꝝ supi° p̃itoꝝ, videlicet: Ad p'm̄u articlm ubi *illi* qui ſint ingressum p disseisitores, c'rant dampna a tempe statuti pupplicati. Eodem modo de br̃ibus de ingressu sup disseisinā. De dampnis in o̅mibus br̃ibus mortis antecessoris, Consanguinei, Avi, & Pavi, de Int"s̃oe, vl fc̃o pp'o p quodc̃uq; br̃e, c'rāt dampna post impetrac̃oem br̃ium contra illos qui ten̄unt post statutū, licet Antecessores p'us obierint. De inquisic̃oe faciend que tang' illos qui sunt infra etatem c'rat statutū sine tempis limitac̃oe. De ꝑris alienatis (') p legem Angl, currat statutū [de huj°modi terris alienatis post statutū illud pupplicatū.[2]] Eodm modo currat statutū de ꝑra Ux̃ alienata p virū, ubi finis non est levatus. De ꝑris dimissis ad feodi firmam, reddendo inde p annū valorem q'rte ptis [&c.[3]] currat statutū tam de ꝑris dimissis ante statutū q̃ de ꝑris dimissis post statutum; Dum tamen tenens detin̄uit ultra duos annos, post statutū editū, id quod solvi debuit dimissori p annū jux" sc'ptum Cōvenc̃ois illius. De pena vasti, de o̅mibus pret̃q"m in dotibus & Custodiis, Intelligat' de vastis factis post statutū. Nova Addic̃o. Et pena reddendi triplū in casu vasti de Dotibus & Custodiis, intelligatur de vastis factis post statutū. De illa que alienat dotem suam, &c. intelligatur post statutum. (*)

[1] p eos qui tenent *Rot. Bodl: Lib. Scac. X.*
[2] tam de ꝑris alienat̃ añ stat̃ q̃ p°t. *Rot. Bodl: Lib. Scac. X.*
[3] veri valoris *Printed Copies.*
[4] Dat̃ Glouc̃ die dn̄ica pxima post festum ad vinct̃ Sc̃i Petri anno R. Reg̃ Eadwardi sexto *Lib. Scac. X.*

Anno 7° EDWARDI, I. A.D. 1279.

Statut' de Viris Religiosis.

THE STATUTE FOR RELIGIOUS MEN.

*Ex magno Rot. Stat. in Turr. Lond. m. 47.**

REX Justic suis de Banco, salt'm. Cum dudum ꝑvisum fuisset, qd viri Religiosi feoda aliquoꝝ nō ingrederent', sine licencia & voluntate Capitaliū dñoꝝ, de quibꝫ feoda illa immediate tenentur; & viri Religiosi postmodū nichilomin⁹ tam feoda sua ꝑp'a, q'm alioꝝ hactenus ingressi sint, ea sibi app'ando & emendo, & aliq'ndo ex dono alioꝝ recipiendo, ꝑ quod ꝟvicia que ex huj⁹modi feodis debent', & que ad defensionē regni ab inicio ꝑvisa fuerunt, indebite subtrahunt', & dñi Capitales escaetas suas inde amittunt: Nos, sup hoc ꝑ utilitate regni congruū remediū ꝑvideri volentes, de consilio Prelatoꝝ Comitū (1) & alioꝝ fideliū regni nr̄i de consilio nr̄o existenciū, ꝑvidim⁹, statuim⁹, & ordinavim⁹, qd nullus Religiosus aut alius quicumq;, ꝟras aut ten̄ aliqua eme vel vendere, aut sub colore donac̄ois aut ꝟmini vt alt'ius tituli cuj⁹cūq;, ab aliquo recipe, aut alio quovismodo arte vt ingenio [arte vt ingenio [2]] sibi app'are ꝑsumat, sub forisfc̄ura eoꝝdem, ꝑ quod ad manū mortuā ꝟre & ten̄ huj⁹modi deveniant quoquo modo. Providim⁹ eciam, qd si quis Religiosus aut alius, cont' ꝑsens statutū, aliquo modo arte vt ingenio venire ꝑsumpſit, liceat nob & aliis immediatis capitalibꝫ dñis feodi talis alienati, illud inf' annū a tempe alienac̄ois huj⁹modi ingredi & tene in feodo & hereditate. Et si [capitalt dñs immediatus dñs [3]] negligens fuit, et feod huj⁹modi ingredi nolu̇it infra annū, tunc liceat ꝑximo capitali dño [mediato [4]] feodi illius, inf' dimidiū annū sequentē, feodū illud ingredi & tene sicut ꝑdc̄m est; [et sic quilibet dñs mediatus faciat,[5]] si ꝑpinquior dñs in ingrediendo huj⁹modi feod negligens fuit ut ꝑdc̄m est. Et si omnes huj⁹modi capitales dñi huj⁹modi feodi, qui plene fuint etatis, & inf' quatuor maria, & ext' p'sonam, p unū annū negligentes vt remissi fuint in hac ꝑte, nos statim post annū completū a tempe quo huj⁹modi empciones, donac̄oes, aut alias app'ac̄oes fieri contigit, ꝟras & ten̄ huj⁹modi capiem⁹ in manū nr̄am, & alios inde feoffabim⁹ ꝑ eta ꝟvicia nob inde ad defensionē regni nr̄i facienda; Salvis capitalibꝫ dñis feodoꝝ illoꝝ Wardis, escaetis, & aliis ad ipos ꝑtinentibꝫ, ac ꝟviciis inde debitis & consuetis. Et ideo vob mandam⁹ qd statutū ꝑdc̄m corā vob legi, & decet̄o firmit̄ ten̄i & observari faciatis. T. R. apud Westm̄ [xv. die Novembr̄ anno &c. Septimo.[6]] (7)

[1] Baronū *MS. Cott. Claudius, D. II.*
[2] Erroneously repeated; *Rot. Pat; Rot. Claus; MS. Cott.* omit.
[3] { dñs capitalt immediat⁹ *Rot. Pat; MS. Cott.*
{ capitalt dñs immediat⁹ *Rot. Claus.*
[4] immediat *Old Printed Copies.*
[5] *Rot. Bodl.* omits the Word 'mediatus': the Word 'faciat' is interlined on the Patent and Close Rolls. Old Printed Copies read 'Et sic quilibet capitalis dominus immediat [immediate *al.*] ingredi p̄t hujusmodi feoda.'
[6] { xiiij. die Novembr̄ *Rot. Pat.*
{ xv. die Novembr̄, anno r̄. n. septimo *Rot. Claus; MS. Cott.*
[7] { Et me^d qd istud statutū irrotulat' in Dorso Rotuli Clausaꝝ de hoc anno. *Rot. Pat.*
{ Et memo^d qd istud statutū irrotulat' in Rotlo patenciū de hoc anno. *Rot. Claus.*

(1) WHERE of late it was provided, that Religious Men should not enter into the Fees of any without Licence and Will of the Chief Lord, of whom such Fees be holden immediately; and notwithstanding such Religious Men have (2) entered as well into their own Fees, as into the Fees of other Men, approprying and buying them, and sometime receiving them of the Gift of others, whereby the Services that are due of such Fees, and which at the beginning were provided for Defence of the Realm, are wrongfully withdrawn, and the chief Lords do leese their Eschetes of the same: We therefore, to the Profit of our Realm, intending to provide convenient Remedy, by the Advice of our Prelates, Earls, Barons, and other our Subjects, being of our Council, have provided, [made,[3]] and ordained, That no Person, Religious or other, whatsoever he be, [that will buy or sell any Lands or Tenements, or under the Colour of Gift or Lease, or that will receive by reason of any other Title, whatsoever it be, Lands or Tenements, or by any other Craft or Engine will presume to appropre to himself,[4]] under Pain of Forfeiture of the same, whereby such Lands or Tenements may any wise come into Mortmain. We have Provided also, That if any Person, Religious or other, do presume (5) either by Craft or Engine to offend against this Statute, it shall be lawful to Us and other [Chief Lords of the Fee immediate to enter into the Land so alienedˌ[6]] within a Year from the Time of the Alienation, and to hold it in Fee [as an'] Inheritance. And if the Chief Lord immediate be negligent, and will not enter into such Fee within the Year, then it shall be lawful to the next Chief Lord immediate of the same Fee to enter into the same [Land [8]] within half a Year next following, and to hold it as before is said; and so every Lord immediate may enter into [such Land,[9]] if [the next Lord [10]] be negligent in entering into the same Fee, as is aforesaid. And if all the Chief Lords of such Fees, being of full Age, within the Four Seas, and out of Prison, be negligent or slack in this Behalf, (11) We, immediately after the Year accomplished, from the Time that such Purchases, Gifts, or Appropriations hap to be made, shall take such Lands and Tenements into our Hand, and shall infeoff other therein by certain Services to be done (12) to Us for the Defence of our Realm; saving to the Chief Lords of the same Fees their Wards and Eschetes, [and other Services thereunto [13]] due and accustomed. And therefore We command you, that ye cause the foresaid Statute to be read before you, and from henceforth to be kept firmly and observed.

No Land shall be aliened in Mortmain, upon Pain of the Forfeiture thereof.

The Lords of the Fee shall successively take Benefit of the Forfeiture.

And on their neglecting for Twelve Months, the King shall take.

Witness Myself at Westminster the Fifteenth day of November, the Seventh year of our Reign.

[1] *The King to his Justices of the Bench, Greeting.*
[2] *since* [3] *established*
[4] presume to buy or sell, or under the colour of Gift or Lease, or by reason of any other Title, whatsoever it be, to receive of any Man, or by any other craft or ingine to appropriate to himself, any Lands or Tenements;
[5] *in any manner*
[6] immediate chief Lords of the Fee so alienedˌ to enter into the same,
[7] and [8] Fee [9] the same Fees,
[10] the next immediate Lord unto him
[11] *for the Space of One Year* [12] *for the same*
[13] and other things to them belonging, and the Services for the same

* This Statute is entered on the Patent Roll of this Year 7 *Ed. I. m.* 2, and on the Close Roll of this same year *m.* 1. *d.*; entitled, in the Margin of each Roll "Forma Statuta Viroꝝ Religiosoꝝ." In the modern Printed Copies it is called 'A Statute of Mortmain.' In *MS. Cott. Claudius, D. II.* fo. 195, is a Copy of this Statute, with a Note at the End 'Ex^r p rotlm.' but which instead of the Word 'Rex' at the Beginning, reads 'Edwardus dei gracia Rex Angt, Dñs Hibn, & Dux Aquit.' On the Bodleian Roll of Statutes, and in several Manuscripts, this Statute is given in the third person, "Dominus Rex providit, statuit & ordinavit," omitting the introductory and concluding Forms of the Writ.

Anno 9° EDWARDI, I. A.D.1281.

An ARTICLE of the STATUTE of GLOUCESTER by our Sovereign Lord Edward, formerly King of England, Father of the now King, in the ninth year of his Reign, and by his Council, corrected for the Citizens of London, touching the vouching of Foreigners to Warranty in the Hustings in London.

The Manner of proceeding, when a Foreigner is vouched to Warranty in London.

IT is Provided also, That if one being impleaded in the City of London, do vouch a Foreign to Warranty, the Mayor and the Bailliffs shall adjourn the Parties before the Justices of the Bench at a certain Day, and shall send their Record thither; and the Justices shall cause the Warrantor to be summoned before them, and shall try the Warranty; and the Mayor and the Bailiffs in the mean time shall surcease in the Matter that dependeth afore them by Writ, until such Time as the Warranty be determined before the Justices of the Bench; and when the Matter shall be determined (¹) Commandment shall be given to the Vouchee to depart into the City, and to answer to the first Plea; and the Demandant, at his Suit, shall have a Writ from the Justices of the Bench, unto the Mayor and Bailiffs, that they shall proceed in the Plea. And if the Demandant recover, the Tenant shall come to the Justices of the Bench, and have a Writ to the Mayor and Bailiffs, that in case the Tenant have lost his Land, they shall cause it to be extended, and return the same Extent unto the Bench at a certain day; and after, it shall be commanded to the Sheriff of the Shire, where the Warranty was summoned, that he shall cause the Tenant to have of the Lands of the Warrantor to like Value. And if it fortune that the Tenant make Default at the Day that is assigned him in the Bench, then shall there go forth a Writ from the Justices of the Bench to the Mayor and Bailiffs, to seise the Land demanded into the King's Hands by a Petit Cape, and to summon the Tenant, that he be at the Hustings at a certain Day, whereat the Justices shall be advised to give Judgement upon the same Default, if he cannot save it; and in case he can save it, then the Justices shall be certified thereof by their Record; and by the same Record they shall plead the Warranty.

By the Council.

¹ *in the Bench*

Ex Rot. Claus. 9 *Ed. II. m.* 11. (¹)

Articulus Statuti Glouc̃ ꝑ Dñm E. quondam Regem Angł, pr̃em Regis nunc, anno regni sui nono, & consilium suū, correctus ꝑ Civibꝫ Londoñ de Forinsecis vocatis ad Warantum in Hustengo Londoñ.

PURVEU est ensement q̃ si hōme enpledee en la Cite de Londres vouche forein a garant, le Meire & les Baillifs ajornent les ꝑties devaunt Justices du Baunk a certein jour, & envoient la lour record; e les Justices facent somondre le garant devant eux, & pledent la garantie; & le Meire, & les Baillifs endementers surseisent a la parole qest devant eux ꝑ bref, jeqes atant q̃ la parole de la garantie soit t̃mine devant Justices du Baunk; e qant la parole s̃ra t̃mine au Baunk s̃ra dit al garant, qil voist en la Cite, & respoigne du chief plei; Et le demaundant ꝑ sa sute, eit bref des Justices du Baunk au Meire e as Baillifs qil voisent avant en le plai. E si le demaundant recoevre, veigne le tenant as Justices du Baunk, & eit bref al Meire e as Baillifs, q̃ si le tenant eit sa t̃re ꝑdue, qil facent estendre la t̃re, & retornent lestente au Baunk a certein jour; apres seit maunde a Viscounte du pais, ou le garant fust somons, qil face aver de la t̃re du garant a la vaillaunce. E sil avient q̃ le tenant face defaute al jour q̃ li est done al Baunk, dounqes istra bref des Justices du Baunc, au Meire & as Baillifs, de p̃ndre le tenement demaunde en la mein le Roi ꝑ le petit Cape, & de somondre le tenant qil soit al Husteng a c̃tein jour, Dount les Justices s̃ront avisez a rendre juggement de cele defaute, sil ne la puisse saver; E sil la puisse saver, adounqes soient les Justices de ceo c̃tifiez ꝑ lour record: E les Justices ꝑ lour record pledent la garantie.

ꝑ consiliū.

¹ By a Writ upon this Roll, entitled in the Margin "De forinceč vocat̃ ad Warant̃ in London sumoñ." dated Westminster, May 2, from the King to the Justices of the Bench, reciting, in Latin, the Substance of that Article, or Part, of the Statute of Gloucester, Chapter XII., which relates to the vouching Foreigners in London; and that in the Ninth year of King Edward I. the said Article had been amended by the King and Council, and sent under Seal to the Mayor and Sheriffs of the said City, who had from that Time proceeded according thereto, but that some Difficulty had lately arisen in the Bench on account of such Amendment, as contradicting the Statute; the Justices are commanded to cause the said Article to be observed according to the Tenor thereof sent to them with the said Writ. Then follows the amended Article as here given, and entitled as above. The following Writ to the Mayor and Sheriffs of London, subjoined to the amended Article as transmitted to them by Edward I. is entered in Liber Horn among the Archives of the City of London. "Edwardus dei gr̃a &c. Majori & Vic̃ London, Salut̃. Mandam⁹ vobis quendam articłm statuti nr̃i, ap̃d Glouc̃ anno r̃. ñ. vj^to editi, correctū; ꝑut in quad̃ cedła p̃sentibꝫ int̃clusa pleni⁹ cōtinet', vob̃ precipientes qd̃ articłm illū jux^a correcc̃oem illā firmit̃ ten̄li & observari faciat̃. T. meip̃o ap̃d Westm̃ x. die Juñ a° r̃. n. nono."

Anno 11° EDWARDI, I. A.D. 1283.

Statut' de Mercatoribz.

THE STATUTE OF MERCHANTS.

*Ex magno Rot. Stat. in Turr. Lond. m. 46.**

PUR ceo qe Marchauntz, qi avaunt ces houres unt preste lur aver a diᵛse genz, sunt cheuz en poᵛte, pur ceo qe il ni aveit pas si redde ley purvewe, par la quele il poeient lur dettes hastivement recoverir al jor asis de paye; e par cele achesun sunt mult de Marchaunz sustretz de venir en ceste terre od lur Marchaundises, a damage des Marchaunz, e de tut le reaume: Le Rei par luy e par sun conseil ad ordine, e establi, qe Marchaunt qi veut estre seur de sa dette, face venir sun dettur devaunt le Meire de Lundres, ou de Everwyk, ou de Bristowe, e devaunt le Meire, e devaunt un Clerk, qi le Rey a ceo atornera, conoise la dette, e le jor de la pae; e seit la reconisaunce enroulee de la main le avauntdit Clerk qe serra conue. E estre ceo lavauntdit Clerk face de sa main le escrit de obligacion, al quel escrit seit mis le seal del dettur, od le seal le Rei, qe a ceo est purveu, le quel seal demorra en sauve garde le Meire, e del Clerk avauntdit; E si le dettur [ne-e [1]] rende al jor qe lui est asis, si veigne le Creaunzur al Meire, e al Clerk, od sa lettre de obligaciun; E si trove seit par roule, e par lettre, qe la dette fu conue, e qe le jor asis seit passe, Le Meire par vewe de ꝑdeshomes, meintenaunt face vendre les moebles al dettur cum ateint de la dette, si com chatels e burgages devisables, desqes a la summe de la dette, e les deniers saunz delai paez as Creaunzurs. E si le Meire ne troesse achatur face par renable pris liverer les moebles al Creaunzur, desqe a la summe de la dette en allowaunce de sa dette: E a la vente, e a la liveree des burgages devisables, serra mis le seal le Rei avauntdit, en pardurable tesmoinaunce. E si le dettur ne eit moeble en le poer le Meire, dunt la dette poet estre levee, einz eit aillours en le reaume, dunqe maunde le Meire, desuz le seal avauntdit, a Chauncelier la conoissaunce fete devaunt lui, e le avauntdit Clerk, e le Chauncelier enveye bref al Viscunte, en qi baillie le dettur avera moebles, e le Viscunte face fere gre al Creaunzur, par mesme la forme qe est devisee, qe le Meire le fereit, si les biens moebles al dettur fussent en sun poer; mes bien se gardent ceuls, qi priserunt les moebles pur liverer al Creaunzur, qe il mettent resnable pris e owel, qe si il

[1] ne ne—*Rot. Claus.*

FORASMUCH as Merchants, which heretofore have lent their Goods to divers persons, be greatly impoverished, because there is no speedy Law provided for them to have Recovery of their Debts at the Day of Payment assigned; and by reason hereof many Merchants [have withdrawn to come [1]] into this Realm with their Merchandises, to the Damage as well of the Merchants, as of the whole Realm: The King by himself and by his Council hath ordained and established, That the Merchant which will be sure of his Debt, shall cause his Debtor to come before the Mayor of London, or of York, or Bristol, [or [2]] before the Mayor and a Clerk, which the King shall appoint for the same, for to knowledge the Debt and the Day of Payment; and the Recognisance shall be entered into a Roll with the Hand of the said Clerk, which shall be known. Moreover, the said Clerk shall make with his own Hand a Bill Obligatory, whereunto the Seal of the Debtor shall be put, with the King's Seal, that shall be provided for the same Purpose, the which Seal shall remain in the keeping of the Mayor and Clerk aforesaid: And if the Debtor doth not pay at the Day to him limited, the Creditor may come before the said Mayor and Clerk with his Bill obligatory; and if it be found by the Roll, and by the Bill, that the Debt was knowledged, and that the Day of Payment is expired, the Mayor shall incontinent cause the Moveables of the Debtor to be sold, as far as the Debt doth amount, by the praising of honest Men, [as Chattels,[3]] Burgages devisable, until the whole Sum of the Debt; and the Money, without delay, shall be paid to the Creditor. And if the Mayor can find no Buyer, he shall cause the Moveables to be delivered to the Creditor at a reasonable Price, as much as doth amount to the Sum of the Debt, in Allowance of his Debt: And the King's Seal shall be put unto the Sale and Deliverance of the Burgages devisable for a perpetual Witness. And if the Debtor have no Moveables within the Jurisdiction of the Mayor, whereupon the Debt may be levied, but hath some otherwhere within the Realm, then shall the Mayor send the Recognisance, made before him and the Clerk aforesaid, unto the Chancellor, under the [King's Seal [4];] and the Chancellor shall direct a Writ unto the Sheriff, in whose Bailiwick the Moveables of the Debtor be, and the Sheriff shall cause [him to agree with his Creditor [5]] in such Form as ([6]) the Mayor should have done in case that the Moveables of the Debtor had been within his Power; and let them that shall praise the moveable Goods, to be delivered unto the Creditor, take good heed that they do set a ([7]) reasonable Price

The acknowledging of a Statute Merchant.

Execution thereon.

Extent.

The Recognizance may be certified into Chancery.

Regulation of the Extent.

[1] do refrain to come
[2] *and*
[3] *as also Chattels, and*
[4] *the Seal aforesaid*
[5] the Creditor to be satisfied
[6] *it is prescribed that*
[7] *just and*

* This Statute is also entered on the Close Roll 11 *E. I. m.* 2. *d.* and there entitled in the Margin: "Statutū editū ꝑ ñcatoribz ad debita sua celeriꝰ recupanda."

In *Lib. Scac. Westm. X. fo.* xl. The Title and Commencement of this Statute are thus given;

"Les Estatuz de Stopbury ke sūt apele Actone-Burnel.

"Ceo sunt les estatuz fez a Salopsebuꝛ al parlement ꝑchein aꝑs la feste seit Michel lan del Regne le Rey Eaduuard fiz le Rey Henry, unzine."

upon them; for if they do set an over high Price for favour born to the Debtor, and to the Damage of the Creditor, then shall the Thing so praised be delivered unto themselves at such Price as they have limited, and they shall be forthwith answerable unto the Creditor for his Debt. And if the Debtor will say, that his moveable Goods were delivered or sold for less than they were worth, yet shall he have no Remedy thereby; [for when [1]] the Mayor or the Sheriff hath sold the moveable Goods lawfully to him that offered most; [he may account it his own folly, that he did not sell his own moveable Goods himself before the Day of his Suit, when he might, and would not, and have levied the Money with his own Hands.[2]] And if the Debtor have no Moveables whereupon the Debt may be levied, then shall his Body be taken where it may be found, and kept in Prison until that he have made Agreement, or his Friends for him; and if he have not [3] wherewith he may sustain himself in Prison, the Creditor shall find him Bread and Water, to the end that he die not in Prison for default of Sustenance, the which Costs the Debtor shall recompense him with his Debt, before that he be let out of Prison. And if the Creditor be a Merchant Stranger, he shall remain at the Costs of the Debtor for so long Time as he [tarrieth about the Suit of his Debt, and until [4]] the moveable Goods of the Debtor be sold or delivered unto him. And if the Creditor do not [take [5]] the Debtor alone for the Surety of his Payment, by reason whereof Pledges or Mainpernors be founden, then those Pledges or Mainpernors shall come before the Mayor and Clerk abovesaid, and shall bind themselves by Writings and Recognizances, as afore is said of the Debtor. And in like manner if the Debt be not paid at the Day limited, such Execution shall be awarded against the Pledges or Mainpernors, as before is said of the Debtor; Provided nevertheless, That so long as the Debt may be fully taken and levied of the Goods moveable of the Debtor, the Mainpernors or Pledges shall be without Damage: Notwithstanding, for Default of moveable Goods of the Debtor, the Creditor shall have [Execution of his Recognisance upon [6]] the Mainpernors or Pledges, in such manner and form as before is limited against the principal Debtor.

The Debtor shall be imprisoned in Default of Effects.

The Debtor's Diet in Prison.

The Creditor a Stranger.

Pledges for the Debt.

Execution against them.

And to defray the Charge of the aforesaid Clerk, the King shall take out of every Pound one Penny. This Ordinance and Act the King willeth to be holden from henceforth throughout all his Realm of England, among all Persons whosoever they may be, who shall freely choose to make such Recognisance; except Jews, to whom this Statute extendeth not.

And by this Statute a Writ of Debt shall not be abated. And the Chancellor, Barons of the Exchequer, Justices of the one Bench and of the other, and Justices Errants, shall not be estopped to take Recognizances of Debts of those who shall choose so to do before them; but the Execution of Recognizances before them shall not be made according to the Form aforesaid, but according to the Law, Usage, and Manner heretofore used. Given at Acton Burnell, the twelfth day of October in the eleventh year of our Reign.

Like Statutes have the Mayors of York and Bristol, Lincoln, and Winton, and Salop.

[1] forasmuch as

[2] *for he may blame himself, that before the day of the Suit he had it in his power to have sold his moveable Goods, and to have levied the Money with his own hand, and yet he would not.*

[3] *of his own*

[4] *shall be suing for the levying of his Debt, until the Day that*

[5] content himself with

[6] his Recovery against

les prisent trop haut en favour del dettour, e en damage del Creaunzur, la chose prisee seit liveree a cels qi la averunt prise par le pris qe mis i unt, e meintenaunt respoignent al Creaunzur de sa dette. E si le dettur voille dire qe ses biens moebles furent venduz, ou liverez, pur meinz qe il ne valent de ceo ne purra il remedie aver, par quei qe le Meire ou le Viscunte eyent leaument les biens moebles a celui qi plus offri, vendu, car il purra retter a lui mesmes qe avaunt le jor de la seute, poeit ses biens moebles aver vendu, e par sa main les deniers leve, e ne voleit. E si le dettur ne ad moebles, dunt tute la dette pusse estre levee dunqe seit sun cors pris, ou qe il seit trove, e en prisun tenu desqe taunt qe il eit fet gre, ou ses amis pur lui. E si il nad del soen dunt estre sustenu en prisun, le Creaunzur lui trusse pain e ewe, issi qe il ne moerge pur defaute; les quels custages le dettur lui rende, od la dette, avaunt ceo qe il isse de prisun. E si le Creaunzur seit Marchaunt estraunge, il demorra as custages del dettur tut le tens qe il siwera pur sa dette lever, desqe al jor qe les biens moebles al dettur seient venduz, ou a lui liverez. E si le Creaunzur ne se pae pas de la suerte soulement le dettur, par quei plegges lui soient trovez, ou mainpnours, les mainpnours ou les plegges veignient devaunt le Meire e le avauntdit Clerk, e se obligent par escrit e par reconoissaunce si com avaunt est dit del dettur. En mesme la manere, si la dette ne seit paee al jor asis, seit fete la execution, sur les plegges ou mainpnours cū avaunt est dit del dettur; issi nepurq[a]unt, qe taunt come la dette pusse pleinement estre levee des biens moebles al dettur, les mainpnours, ou les plegges ne eyent damage; Mes en defaute des biens moebles al dettur, eit le Creaunzur recoverir sur les mainpnours, ou sur les plegges, en la forme qe avaunt est dite del dettur. E a sustenir les Custages lavauntdit clerk, si prendra le Rei de chescune livre un denier. Cest ordeinement e establisement veut le Rei qe desoremes seit tenu, par tut sun reaume de Engleterre, entre quel gent, qe ceus seient, qe de lur ein degre voderunt tele reconisaunce fere, forpris Jeus, as quels cest establisement ne se estent pas. (')

[1] "E par cest establissement ne seit bref de dette abatu. E ne soyent pas le Chauncelier, Baruns del Eschēqre, Justices del un Baunc e del autre, e Justices erraunz, forclos de prendre reconoissaunces de dettes, de ceus qi devaunt eus le voderunt fere: Mes les execucions de Conoissaunces devaunt eus ne seyent pas fetes par la forme avauntdite, mes par la ley e le usage e la maniere avaunt usee. Donee a Actone Burnel le duzim jor de Octobr en lan de nostre regne, unzim.

"Consilia statuta fint Majores Eboř & Bristoll Linē & Wyntoñ & Salloṕ."—*Rot. Claus.* 11 E. I. *m.* 2. *d.*

Anno 12° EDWARDI, I. A.D. 1284.

Statuta Wallie.

THE STATUTES OF WALES.

*Ex Rot. in Turr. Lond.**

EDWARDUS Dei gra Rex Angł Dns Hibn & Dux Aquitanñ, omnib fidelib suis de ra sua Snaudoñ & de aliis ris suis in Wall, Salutm in dño. Divina Pvidencia, que in sui disposicione non fallit', int alia dispensacois sue munda quib nos & regnū nrm Angł decorare dignata est, ram Wall cū incolis suis, prius nob jure feodali subjectam, jam sui gra in pprietatis nre dominiū, obstaclis quibuscūq, cessantibs, totalit & cū integritate convit, & corone Regni Pdci tanqm ptem corpis ejusdem annexuit & univit. Nos itaq, nutu divino volentes Pdcam ram nram Snaudoñ & alias ras nras in ptib illis sicut & ceas dicoñi nre subjectas, ad honorem & laudem Dei & Ecclie Sce ac zelum justicie sub debito regimine gubnari, & incolas seu habitatores raz illaz qui alto & basso se submiserunt voluntati nre, et quos sic ad nram recepim voluntatem ctis legib & consuetudinib sub tnquillitate & pace nra tctari, leges & consuetudines parciū illaz hacten usitatas coram nob & pceribs regni nri fecim recitari. Quib diligent auditis & plenio intellctis quasdam ipaz de consilio pcerū Pdcoz delevim, quasdam pmisim, & quasdam correxim; & eciam quasdam alias adiciend et statuend decrevim; & eas decelo in ris nris in ptib illis ppetua firmitate teneri & observari volum, in forma subscripta. Providim et decernendo statuim qd Justiciar Snaudoñ heat custodiā & [gubnacoes '] pacis nre Regie in Snaudoñ et ris nris Wall adjacentib; & justitiam exhibeat quibuscumq, juxta bria regia originalia leges eciam & consuetudines infrascriptas. Volum eciam & statuim qd Vicecomites, Coronatores & Balli Comotoz sint in Snaudoñ, & ris nris parciū eazdem. Vicecomes de [Angleseia [2]] sub quo tota ra Angleseye cū cantredis metis & bundis suis. Vicecomes de [Kayenarvan [3]] sub quo Cantreda de Arvā, Cantreda de Arthlencoyth, Comotū de [Cruthin,[4]] Cantreda de Thleen & Comotū de [Yvionith.[5]] Vicecomes de [Meyronnith,[6]] sub quo Cantreda de [Meyronnith,[6]] Comotū de Ardudo, et Comotū de [Penthlin,[7]] & Comotū [de Dereynō,[8]] cū metis & bundis suis. Vicecomes de Flynt, sub quo Cantreda de Englefeud, terra de [Meylor Seysnek,[9]] & ra de Hope, & tota ra conjūcta castro nro & ville de Rothelan, usq, ad villam Cestrie, decelo intendat sub nob Justiciar nro Cestr, & de exitib ejusdem Comoti respondeat ad Sccm nrm Cestre. Coronatores sint in eisdem Comitatib, p bre regiū eligendi, cuj tenor inveniet' int originalia bria Cancellarie. Sint eciam Balli Comotoz qui officia sua fidelit faciant & exequant' & eisdem diligent intendant scdm qd p Justic et Vic eis injunget'.

[1] gubernacoem [2] Angleseya
[3] Kaernarvan *Rot.* 1.—Kaerenarvan *Rot.* 2.
[4] Cruthyn [5] Yvionyth *Rot.* 1.
[6] Meronyth *Rot.* 1.—Meronith *Rot.* 2.
[7] Penthelyn *Rot.* 1.—Penethlyn *Rot.* 2.
[8] de Yrinony *Rot.* 1.—deyrinoin *Rot.* 2.
[9] Mayllor Sexeneyth *Rot.* 1.—Maillor Sexeneyth *Rot.* 2.

I. Wales annexed to the Crown of England.

EDWARD by the Grace of God King of England, Lord of Ireland, and Duke of Aquitain, to all his Subjects of his Land of Snowdon, and of other his Lands in Wales, Greeting in the Lord. The Divine Providence, which is unerring in its own Government, among other gifts of its Dispensation, wherewith it hath vouchsafed to distinguish Us and our Realm of England, hath now of its favour wholly and entirely transferred under our proper dominion, the Land of Wales with its Inhabitants, heretofore subject unto us in Feudal Right, all obstacles whatsoever ceasing; and hath annexed and united the same unto the Crown of the aforesaid Realm, as a Member of the same Body; We therefore, under the Divine Will, being desirous that our aforesaid Land of Snowdon and our other Lands in those parts, like as all those which are subject unto our Power, should be governed with due Order, to the Honour and Praise of God and of Holy Church, and the Advancement of Justice, and that the People or Inhabitants of those Lands who have submitted themselves absolutely unto our will, and whom We have thereunto so accepted, should be protected in security within our peace under fixed Laws and Customs, have caused to be rehearsed before Us and the Nobles of our Realm, the Laws and Customs of those parts hitherto in use: Which being diligently heard and fully understood, We have, by the Advice of the aforesaid Nobles, abolished certain of them, some thereof We have allowed, and some We have corrected; and We have likewise commanded certain others to be ordained and added thereto; and these We will shall be from henceforth for ever stedfastly kept and observed in our Lands in those parts, according to the Form underwritten.

II. Regulations of the Jurisdiction, and its Division into Counties, &c. Sheriffs and other Officers appointed.

We have Provided and by our command ordained, That the Justice of Snowdon shall have the Custody and Government of the Peace of Us the King in Snowdon, and our Lands of Wales adjoining; and shall administer Justice to all Persons whatsoever, according to original Writs of Us the King, and also the Laws and Customs underwritten. We likewise will and ordain that there be Sheriffs, Coroners, and Bailiffs of Commotes in Snowdon, and our Lands of those parts. A Sheriff of Anglesea, under whom shall be the whole Land of Anglesea, with its Cantreds, Metes, and Bounds. A Sheriff of Caernarvan, under whom shall be the Cantred of Arvan, the Cantred of Arthlencoyth, the Commote of Cruthin, the Cantred of Thleen, and the Commote of Yvionith. A Sheriff of Merioneth, under whom shall be the Cantred of Merioneth, the Commote of Ardovey, and the Commote of Penthlin, and the Commote of Deyrinoin, with their Metes and Bounds. A Sheriff of Flint, under whom shall be the Cantred of Englefeud, the Land of Maillor Sexeneyth, and the Land of Hope, and all the Land adjoining to our Castle and Town of Rothelan unto the Town of Chester, shall from henceforth be obedient under Us to our Justice of Chester, and shall answer for the Issues of the same Commote at our Exchequer of Chester. There shall be Coroners in the same Counties, to be chosen by the King's Writ, the tenor whereof is to be found among the original Writs of the Chancery. There shall likewise be Bailiffs of Commotes, who shall faithfully do and discharge their Offices, and diligently attend thereto, according to what shall be given them in charge by the Justice and Sheriffs.

* The various Readings are from Two Rolls written in the Time of Edward I. preserved among the Records in the Treasury of the Court of the Receipt of Exchequer, in the Chapter House at Westminster. *Rot.* 1. refers to a Roll indorsed 'Statuta Wallie.' beginning 'Hic incipiunt Statuta Wall.' and ending 'Expliciunt Statuta de Wall.' *Rot.* 2. refers to a Roll also indorsed 'Statuta Wallie.' and, in a more modern Hand, 'Ex' p P. le Neve, 15 May 1685.'

A Sheriff of Carmarthen, with its Cantreds and Commotes, and antient Metes and Bounds. A Sheriff of Cardigan and Llampeter, with its Cantreds and Commotes, and Metes and Bounds. There shall be Coroners in these Counties, and Bailiffs of Commotes, as before.

III. Of the Office of Sheriff in Wales; and the Manner of holding Courts.

Of the Sheriff's Office.

THE Sheriff ought to execute his Office in this Form, to wit; When any one shall have complained to him of any Trespass done to him against the Peace of our Lord the King, or of the taking and wrongful detaining of Cattle, or of an unjust taking, or of Debt or any other Contract not fulfilled and the like, either by Writ or without Writ, first let him take Pledges of prosecuting his Claim, or the party's Oath if he be a poor man, and afterwards make Execution as is more fully declared, in this manner, the Defendants in each case shall be summoned to be at the next County Court, to answer unto the Plaintiffs; at which Court, after Summons made and Proof thereof, if they come not, they shall be summoned again by Award of the Court, to be at another Court next ensuing, to answer as before; at which, if they come not, after Summons repeated and Proof thereof, they shall be summoned by Award of the Court a third time, to be at the next third County Court to answer as before; at which Court, if they come not, then the Plaintiffs by Judgement of the Court, as well in Pleas by Writ as Plaints without Writ, shall recover their Demands together with Damages or Amends, as well in moveables as in immoveables, according as the Actions require. And for such Defaults a Penalty shall be incurred to our Lord the King, according to the Law and Custom of Wales. And when the parties shall have appeared to plead, each shall be received without Fine to relate the Truth of his Case; and according to the Plaints, Answers, and Allegations on either side, shall be the Proceeding to Judgement for the Plaintiff or Defendant, by the Award of the County Court; and the Punishment shall be according to the Quality and Quantity of the Offence.

Time of holding County Courts.

And it is to be known that the County Court ought to be holden in this Manner, to wit, from Month to Month, in such Place as our Lord the King shall ordain; and this upon Monday in one County, upon Tuesday in another, upon Wednesday in a third County, and upon Thursday in a fourth, and not upon any other days. And the Sheriff shall proceed thus in the holding of his County Court. First he shall hear and receive before himself and the Coroner and the Suitors of the County, the Presentments of Felonies and of Casualties that shall have happened between two Counties, touching the death of a man, in this manner; That the four Townships next to the place where the fact of Manslaughter or Misaventure shall have happened, shall come to the next County Court, together with him that found the dead man, and the Welshery, that is, the Kindred of the Person slain, and there shall present the Fact of Felony, the Case of Misadventure, and the manner of either: Declaring thus, That on such a day, at such a place, it fell out that such an one, known or unknown, was found slain feloniously, or drowned, or otherwise dead by misadventure, and such an one found him, who is present, &c. and that Presentment shall be forthwith inrolled, as well in the Coroner's Roll as in the Sheriff's. And if there should be present man or woman that would sue by Appeal, there shall be Pledges to prosecute taken forthwith, and the Appeal shall be sued in that County Court. So that if the Appellees should appear, they shall straight be taken, and detained in the prison of our Lord the King until the coming of the Justice, and be safely kept; And if they should not appear, then upon the Prosecution of the Appellor they shall be exacted from one County Court to another; and if they come not at the fourth Court, or be not taken to pledge, they shall be outlawed, and Women shall be waived. And if they should not appear at the first County Court where they shall be exacted, their Lands and Chattels shall be forthwith taken and seised in the hand of our Lord the King, and shall be delivered into Ward to the Townships, as hereunder. In the same manner shall the proceeding be in an Appeal of Wounding, Maihem, Rape, Arson, and Robbery, against the Appellees, if they should not appear. And if they should appear, and find sufficient Pledges, six at the least, or more, to abide Judgement at the coming of the Justice, they shall straight be replevied.

Proceedings in Cases of Homicide.

On Appeals of Homicide, &c.

Vicecomes de [Keyrmarthin[1]] cū Cantredis & cōmotis ac metis & bundis suis antiquis. Vicecomes de Kardigan & [Lampadar,[2]] cū cantredis cōmotis ([3]) & bundis suis. Coronatores sint in eisdem Coīm & Balli cōmotoꝝ ut prius.

De Officio Vicecomitis [in Walł;[4]] et modo [Commoť[5]] tenendoꝝ.

Vicecomes officiū suū exc̄cere debet sub hac forma, scilt; cum quis sibi conquest⁹ fuit de quacunq; t'nsgressione sibi fca contra pacem dñi Reg̃, sive de capc̄oe & injusta detencione avioꝝ, sive de namio vetito, aut de debito vel alio contractu non observato & consimilibꝫ, p bře vel sine bři, p'mo capiat pleg̃ de ꝑseq̃ clam̃ suū vel p fidem si fuit paup, & postea faciat execuc̄oem ꝑut pleni⁹ [declarať, hoc modo,[6]] defendentes in quoł casu sūmoneant' qđ sint ad ꝑxīū comiť responsuri conquerentibꝫ; ad quem Coīm fca sūmonic̄oe & testificata si non venłint p considac̄oem Coīm i'm sūmoneant' qđ sint ad aliū ꝑxīū Coīm responsuř ut prius; ad quem si non venłint, it'ata sūmonic̄oe [&[7]] testificata p consideraco̅em Coīm ꝟcio sūmoneant', qđ sint ad ꝑx̄ ꝟciū Coīm [respōđ[8]] ut prius; ad quem Coīm si non venłint extunc conquerentes p considac̄oem Coīm, tam in placiť p bři̅a q'm querimoniaꝝ sine bři, recupent petic̄oes suas cum dampnis sive emendis, tam in rebꝫ mobilibꝫ q'm immobilibꝫ ꝑut acc̄oes requirunt. Et p hujusmodi defaltis pena sc̄dm legem et consuetudinem Walensicam dño Regi incurrat'. Et cū ꝑtes cōpuerint ad pl'itandū, utraq; narrando suam v'itatem sine occasione admittat'; et sc̄dm petic̄oes responsiones & allegata hinc inde p consideraco̅em Coīm ad judm̄ p querente vel defendente ꝑcedat', et sc̄dm qualitatem & quantitatem delicti puniant'. Et sciend̄ qđ hoc modo debet Coīm teneri, sciť de mense in mensem in loco ubi dñs Rex ordinav'it; et hoc p diem lune in uno Coīm, p diem martis in alio Coīm, p diem m̄cuř in ꝟcio Coīm, & p diem Jovis in quarto Coīm, & non p alios dies. Et Vicecom̄ ad Coīm suū tenend̄ sic ꝑcedat. In p'mo audiat & recipiat coram eo & coronatore & sectatoribꝫ Coīm p'sentac̄oes feloniaꝝ & casuū qui contig'it inť duos Coīm de morte hōis hoc modo; qđ quatuor villate ꝑpinquiores loco ubi casus homicidii vel infortunii contig'it, veniant ad ꝑx̄ Coīm una cū inventore & Walescheria id est parentela hōis inť'fci, & ibi p'sentent fc̄m felonie casū infortunii, & modū utriusq;; Ita ꝑnunciando, qđ tali die & tali loco contigit qđ talis not⁹ aut ignot⁹ invent⁹ fuit occisus p feloniā, vel submersus vel alio modo mortuus p infortuniū, & tať eū invenit qui p'sens est &c. & ista p'sentacio tam in rotło Coronatoris q'm in rotło Vič statim inrotulet'. Et si ibi fuit homo vel fēia qui p apellū sequi volu'it statim recipiant' pleg̃ de ꝑs̄ & deducat' apellū in Coīm illo. Ita qđ si [appellari[9]] conpu'int statim capiant' & in p'sona dñi Reg̃ usq; adventū Justič detineant' et salvo custodiant'; Et si non conpu'int tunc ad ꝑsecuc̄oem appellantis exigant' de Coīm in Coīm, & si ad quartū Coīm nō venłint, vel manucapti non fu'int, utlagent', et fēie weyvient'. Et ad p'mū Coīm ad quem exigent' si non conpu'int statim eoꝝ ꝟre & catalla capiant' et seisiant' in manū dñi R & t'dent' custodiend̄ villať ut infra. Eodem modo ꝑcedat' in apello de plaga, mahemio, raptu, incendio, & roberia cont' appellatos si non compu'int; Et si compu'int & pleg̃ inven'int [sufficienť,[10]] sex ad min⁹ vel ꝑes, standi rec̄to in adventu Justič, statim replegient'.

[1] Kermerdyn
[2] Lampader
[3] ac metis
[4] *Rot.* 1. omits.
[5] { Comitatuū *Rot.* 1. / Coīm *Rot.* 2.
[6] { declarat'. Hoc m° *R.* 1. / declaratur. Hoc modo *Rot.* 2. *The latter Words beginning a new Paragraph.*
[7] *Rot.* 1. & 2. omit.
[8] { respons̄ *Rot.* 1. / responsuř *Rot.* 2.
[9] appellati
[10] sufficientes

Et sciend qđ cont[a] appellatos de vi, p̄cepto, missione vel receptamento, non est p̄cedend ad utlagariam quousq; de fco aliquis convicat[r].

Vic faciet turnū suū in singlis Cōmotis suis bis in anno, in aliquo c̄to loco ad hoc assignando; scilt semel post festū Sci Michis & semel post Pascha: ad quē t'nū oēs libe tenentes & alii terram tenentes & in cōmoto illo residentes tempe summonicōis t'ni tenendi, exceptis religiosis clicis & fcis, ibidem venire debent. Et Vic p̄ sacrm duodecim libe tenenciū de discrecioribz & legalioribz vel plium, p̄ discrescione [Vic,[1]] diligen̄ inquirat de capitlis coronam Dni R̄ tangentibz subscriptis:

De Seductoribz Dni R̄ & regni, Dne Regine [&[2]] liboz̄ suoz̄, & eoz̄ consentaneis. De Furibz, de [Homicidis,[3]] de Roboratoribz, de Murdritoribz, de Incendiariis incendia felonic̄ facientibz, & eoz̄ receptatoribz & eis consencientibz. De [Mascerrariis,[4]] carnes furatas scienc̄ vendentibz & ementibz. De [Whitauwariis,[5]] scilt qui coria bovina & equina furata scienc̄ albificant ut sic non agnoscant[r]. De [Redobatoribz[6]] pannoz̄ furatoz̄, eos in novam formam redigentibz et vec̄em mutantibz, ut de mantello tunicam vel suptunicam facientibz, et silia. De Utlagatis & ilt qui regnū abjurauunt revsis. De hiis qui cont[a] adventū & iter Justic̄ se subt[a]xerunt & post it̄ Justic̄ redierunt. De Raptoribz Virginū, Scemonialiū, & Matronaz̄ honeste vivenciū. De Thesauro invento. De cursu aque divso. De via obstructa vel restricta vel artata. De [muris,[7]] domibz, portis, fossatis, & marleris levatis & fcis jux[a] it̄ publicū, ad nocumentū ipius itinis & in picm t[a]nseunciū, & de p̄dca levantibz & facientibz. De [falsaribz[8]] monete & sigilli Dni Reg̃. De malefcoribz in parcis & vivariis. De f[a]ngentibz p[l]sonam Dni R̄. De capientibz columbas volantes de columbariis. De facientibz [Puntbreche,[9]] hoc est fractoribz pcoz̄ in quibz ālialia inpcant[r]. De [Forstalt,[10]] hoc est de [recussu[11]] avioz̄. De [Homsokne,[12]] hoc est de invasione dom̄. De Thefbote, hoc est de emenda furti capta sine consideracōe Cur̄ Dni R̄. De imp[l]sonantibz libos quoscumq;. De [Usurariis.[13]] De amoventibz vt corūpentibz divisas. De assisa panis & visie nō observata, & eam infringentibz. De bussellis, galonibz & aliis mensuris injustis. De ulnis & ponderibz injustis, & p̄ ea vendentibz. De hospitantibz ignotos ult[a] duos noctes. De sanguine effuso; de huthesio levato. De tondentibz multones noctanc̄ in ovilibz, & eos excoriantibz vel eciam alia ālialia. De capientibz & colligentibz noctanc̄ blada in autumpno & ea asportantibz; et de omibz aliis hujusmodi malefcoribz. Inquirat[r] eciam de juribz Dño Regi subt[a]ctis; ut de custodiis, wardis, maritag̃, releviis, feodis, advocacōibz Ecctiaz̄ si que fint, Sctis [Com̄[14]] & cōmotoz̄, quis ea subt[a]xerit & a quo tempe; et de hiis [que[15]] sibi app[l]avint jura regalia sine waranto, ut furcas, emendas assie panis & visie fracte, placitū de namio vetito, & alia hujusmodi jura, que sp̄alic̄ & p̄ p̄rogativam p̄tinent ad [Cur̄[16]] Dni R̄. Vicecomes autē, in visu & in t'no suo faciendo, statim in principio convenire fac̄ coram se oēs tocius Comoti, & eos jurare faciat qđ verū p̄sentabunt duodecim juratoribz vel ptibz p̄ Vic̄ electis, &

[1] *Rot.* 1. omits.
[2] vt
[3] homicidiis *Rot.* 1.
[4] Macecrariis
[5] Whitawyariis *Rot.* 1.—Whytawyariis *Rot.* 2.
[6] Redubatoribz
[7] muribz *Rot.* 1.
[8] falsariis
[9] punbreche *Rot.* 1.—pundbreche *Rot.* 2.
[10] Forstallis
[11] rescussu
[12] Hamesokena *Rot.* 1.—Hamsokne *Rot.* 2.
[13] Usurrariis *Rot.* 1.
[14] Comitatuū
[15] *erroneously for* qui.
[16] Coronam

And it is to be known, that the Proceeding to Outlawry is not to have place against Appellees of Force, Command, Direction, or Receit, until some one be convicted of the Fact.

IV. The Turn.

THE Sheriff shall make his Turn in his several Commotes twice in the year, in some place certain to be therefore assigned; that is to say, once after the Feast of Saint Michael, and once after Easter. At which Turn all Freeholders and others holding Lands and dwelling in that Commote, at the Time of the Summons for holding the Turn, except Men of Religion, Clerks, and Women, ought to come thither. And the Sheriff, by the Oath of twelve Freeholders, of the most discreet and lawful, or more at his discretion, shall diligently make Inquiry upon the Articles touching the Crown and Dignity of our Lord the King hereunder written:

Articles to be inquired of.

Of Traitors to our Lord the King and the Realm, the Queen, and their Children, and their Abettors. Of Thieves, Manslayers, Robbers, Murderers, Burners that make felonious Burnings, and their Receivers and Accessaries. Of Mascherers that sell and buy stolen Meat knowingly. Of Whittawers, that is those that whiten Hides of Oxen and Horses, knowing the same to have been stolen, that they may not be known again. Of Redubbers of stolen Cloths, that turn them into a new Shape, and change the old one, as making a Coat or Surcoat of a Cloak, and the like. Of Outlaws and Abjurers of the Realm that have returned to it. Of such as have withdrawn themselves against the coming and Eyre of the Justice, and have returned after the Eyre. Of Ravishers of Maids, Nuns, and Matrons of good repute. Of Treasure trove. Of turning Water Courses. Of Hindrance, Restraint, and narrowing of the Highway. Of Walls, Hou es, Gates, Ditches, and Marlpits raised and made near unto the publick Way, to the Nuisance of the same Way, and to the Danger of Passengers; and of them that raise and make the same. Of Forgers of the Money and Seal of our Lord the King. Of Trespassers in Parks and Vivaries. Of Breakers of the Prison of our Lord the King. Of Takers of Pigeons flying from Dovecotes. Of those who make Pound-breach; that is, Breakers of the Inclosures wherein Beasts are impounded. Of Forstall, that is of the Stopping of Cattle. Of Hamsoken, that is of breaking into Houses. Of Thefbote, that is of taking Amends for Theft without leave of the King's Court. Of them that do imprison any Freemen whatsoever. Of Usurers. Of Removers and falsifiers of Land-marks. Of non-observance of the Assize of Bread and Beer, and of Breakers thereof. Of unlawful Bushels, Gallons, and other Measures. Of unlawful Yards and Weights, and them that sell therewith. Of them that give Lodging to Persons unknown for more than two nights. Of Blood spilt; of Hue and Cry levied. Of them that shear Sheep by Night in the Folds, and that flay them or any other Beasts. Of them that take and collect by Night the Ears of Corn in Autumn, and carry them away; and of all other the like Trespassers.

Franchises, &c. usurped.

Let Inquiry also be made of the Rights of our Lord the King withdrawn, as of Custodies, Wardships, Marriages, Reliefs, Fees, Advowsons of Churches, if any there be, Suits to the County and Commotes; who shall have withdrawn them, and from what time; and of them that shall have taken upon them to exercise Royalties without Warrant, as Gallows, Fines for Breach of the Assise of Bread and Beer, Plea of Vetitum Namium, and other the like Rights, which specially and by Prerogative belong to the Crown of our Lord the King.

Presentments of the Jury.

The Sheriff in making his View and Turn, shall first cause to come together forthwith before him all the men of the whole Commote, and shall cause them to swear that they will true Presentment make to the twelve or more of the Jury chosen

by the Sheriff; and that they will conceal nought that is true, nor say ought that is false, of those things that shall be given them in charge in behalf of our Lord the King; and the Oath being taken, the above written Articles shall be laid before them, and they shall be charged to make diligent Inquiry upon each: and if they should find any who for their Offence ought to lose Life or Limb, they shall intimate their Names to the Sheriff secretly; lest the Men so indicted should escape if they were present in the Turn, and were indicted publicly. But of the rest of the Articles they may well declare their Answers openly and in publick, and return their Verdict; and then it shall be told them to go apart by themselves and diligently to treat and inquire of those things that are given them in charge. And when they shall have been well informed, they shall return and render their Verdict and make their Presentment. But the Sheriff in receiving the Verdicts and Recognitions shall not seek to trouble them that make Presentments; nor shall he take Fines of them for not being troubled. And when the Verdict or Presentment of the Jury is brought in, the Sheriff shall forthwith, or as soon as he may, take and keep in Prison, or discharge upon sufficient Bail, such as have been indicted of Offences whereof the Punishment is Death or Loss of Limb. And of the rest of the Articles, there shall forthwith be Correction and due Execution made in all and every the Matters aforesaid, according to the Inquisitions. And the Bailiffs of Commotes shall from henceforth hold their Commotes, and do and administer Justice to the Parties in Suit.

For capital Offences.

For smaller Offences.

How the Sheriff shall proceed on Presentments.

V. Of the Office of Coroner; that is to say, of the Pleas of the Crown in Wales.

Election of the Coroner.

IT is Provided, That in every Commote in Wales there shall be one Coroner at the least who shall be chosen in the full County Court, by the Writ of our Lord the King, according to the Form among other Royal Writs in the following Roll contained; and he shall there make Oath before the Sheriff, that he will be faithful to our Lord the King, and that he will faithfully do and execute all things belonging to the Office of Coroner. And his Office shall be this; that when he shall be required by any one to come to view a Man dead by Felony, or drowned, or in any other manner dead by Misadventure; and also to view a Man grievously wounded, so that his Life be despaired of, that he shall forthwith require the Sheriff or Bailiff of the Commote to cause to come before him at a certain Day and Place, all Persons of twelve years of age and upwards of that Town wherein the casualty shall have happened, and of the four Townships next adjoining; and by their Oaths he shall faithfully, cautiously, and secretly and diligently make Inquiry of the Felony, the Felons, and their Chattels; likewise of the Fact and the Manner thereof, that is to say, who hath been guilty of the Fact, who of Force, and what manner of Force, who of Command or Direction, and who of Receit after the Fact; and of the Chattels of all those who shall be found guilty thereof by the Inquest. He shall likewise make Inquiry who first found the Body, and his Name shall be enrolled, and he shall be attached by Pledges, whose Names shall be enrolled, to come to the next County Court, and also before the Justice in his Circuit. And, the Inquisition being made, he shall forthwith cause the same to be inrolled distinctly and openly, together with the Names of those who shall have been found guilty, and their Chattels; and he shall secretly deliver to the Sheriff, if he be present, or to the Bailiff of the Commote, their Names in Writing; giving in Charge on the behalf of our Lord the King, that straight their Bodies be taken and safely kept in the Prison of our Lord the King until they stand upon their Acquittal in the Court of our Lord the King; And he shall cause their Chattels to be faithfully appraised, and shall set down in his Roll as well the particular Chattels, as the Value thereof; and shall cause the said Chattels, by the View of the Sheriff or Bailiff, and of the other liege Subjects of our Lord the King who shall be there present, to be delivered to every of the Townships wherein the said Chattels shall severally be found; that they may duly answer for the same upon the coming of the Justice of our Lord the King. The Coroner, when he shall make Inquisition concerning the dead, shall inquire of the Welshery, that is to say, the Kindred of the dead Man: And if any one on the

His Office; —In Cases of Homicide; and dangerous wounding.

Inrollment of Proceedings in such Cases.

nullū verū celabunt vel aliquod falsū dicent, de hiis de quibȝ ab eis inquiret' ex pte Dñi Reg̃; et fco sac'mento exponent' eis capitla [subscripta [1]] et injūgat' eis qđ de singlis vitatem diligenť inquirant: & si quos invenīnt qui ob eoȝ maleficiū vitam amitťe debeant vel membra eoȝ nōia in secretis Vič intiment, ne forte hujusmodi [indictati [2]] si p̄sentes essent in t'no affugerent si in publico [indcarent' [3]] De cet̄is autem [capitlis [4]] bene poťunt palam & publice respondere, & veđčm suū reddere; & tunc dicat' eis qđ singli seorsum vadent & diligenť t'ctent & inquirant de hiis que eis sunt injūcta. Et cū bene ctiorati fuint redeant & veđčū suū reddant & p̄sentent. Vič vero in veđčis & recogničoibȝ admittend nō querat occones p̄sus p̄sentantes, nec capiat ab eis fines p sic qđ non occonent'. Recepto autem veđco seu p̄sentačoe p̄sentanciū, Vič statim, [vel [5]] q'm cito poťit, indictatos de maleficiis quoȝ pena est mors vel amissio membroȝ capiat, & in p'sona detineat, vel p pleg̃ [sufficienť [6]] dimittat. Et de cet̄is capitlis scđm qđ inquisierit statim fiat correctio, & debita executio in oīnibȝ & singlis sup'dčis. Balli autem Cōmotoȝ deceťo teneant cōmotos suos & justiciam faciant & excęant inť [ligitantes. [7]]

De Officio Coronatoris; videlt̄, de Placit̄ Corone [Walł.[8]]

P̄visū est qđ in quolt Cōmoto Walł sit unȝ Coronator ad minȝ, qui p bře Dñi Reg̃, in for' inť cet'a bria regia in rotlo sequenti contenta, in pleno Com̄ eligat'; & coram Vič ibidem faciat sacr̄m qđ erit fidelis Dño Regi & qđ fideliť faciat & exequet' oīa que ad officiū Coronatoris ptinent. Eritq, officiū ejus qđ statim postq'm ab aliquo [inquisitȝ [9]] fuit veniendi ad videnđ mortuū inťfectū p feloniam vel subnisū, aut quocūq, alio modo mortuū p infortuniū; et eciam ad videnđ hōiem enormiť vulnatū de cujȝ vita desperat', qđ statim mandabit Vič vel Ballio Cōmoti qđ venire fač coram eo, ctis die & loco, oīes duodecim annoȝ & ult' de villa illa in qua casus contigłit, & de quatuor villaŕ ppinquioribȝ; & qđ p eoȝ sacr̄m fideliť caute & secrete ac diligenť inquiret de felonia, de felonibȝ & eoȝ catallis, sitr de fco & de modo fci, videlt quis fuit culpabiť de fco, quis de vi & cujusmodi vi, quis de p̄cepto seu missione, quis eciam de receptamento post fcm; & de catall eoȝdem [oīum [10]] qui p inquisičoem inde culpabiles inventi fuint. Inquirat eciam quis inťfectū p'mo invenīt & nomen ejus inrotulet' & attachiet' p [pł [11]] quoȝ nōia inrotulent' veniendi ad pxiū Com̄ & eciam coram Justič in adventu suo. Et qđ fca inquisičoe illa eam statim distincte & apte irrotulari fač, una cū nōibȝ eoȝdem [que inventa [12]] fuint culpabiles, & eoȝ catall; et qđ nōia eoȝdem scripta Vič si p̄sens fuit vel ballio Cōmoti secrete libabit, p̄cipiendo ex pte Dñi R̄ qđ corpa eoȝ statim capient' & in p'sona Dñi R̄ salvo custodiant', donec inde [fecint rectū [13]] in Cur̄ Dñi R̄; et qđ catall eoȝdem fideliť appciari faciet & tam catall pticulariť q'm p̄ciū eoȝdē in rotlo suo ponet; & eadem catalla p visum Vič vel balli & alioȝ fideliū dñi R̄ qui inťfuint singlis villatis, in quibȝ catall p̄dčoȝ inventa fuint, integre libari faciet, ut in adventu Justič Dño R̄ fideliť inde respondeant. Coronator vero cū fecit inquisičoem sup mortuū inťroget Walescheriam scilt parentelam inťfci. Et si quis ex pte p̄ris &

[1] sup'sc'pta
[2] indčati *Rot.* 2.
[3] indicarent' *Rot.* 1.
[4] pticul
[5] *Rot.* 1. omits.
[6] sufficientes
[7] Litigantes
[8] in partibȝ Wallie
[9] requisitus
[10] hominū
[11] pleg̃
[12] qui inventi
[13] stecint recto

alius ex pte mris apparuit [dño [1]] qd sunt de parentela sua, & hoc p fideles Reg (2) testificatū fuit, nōia eoꝝ in rotlo suo statim irrotulari fac. Si autem nullus de parentela compeat inrotulet sitr (3) qd nullus conpet, ut [Justic [4]] in adventu suo evidencius face possit qd in hac pte fuit faciend. Coronator eciam diligenr inquirat casum infortūii & mod, & sc̄dm qd invenit p inquisic̄oem distincte inrotulari fac. Inquirat eciam de inventore & nomen ejus inrotulari fac ut sup[a].

Pre̅ea cū Latro vel Homicida seu alius malefc̄or fugit ad Eccliam, Coronator q[a]mcito sibi constit̄it mandet Ballio Dñi R̄ illi[9] cōmoti qd c̄to die venire fac coram eo p̄bos & legales hōies de visneto, & in p̄sencia eoꝝ fc̄a recognic̄oe felonie fieri faciet abjurac̄oem, hoc modo; qd Felo ducat[r] usq; ad portam Ecclie, et assignet[r] ei portus p Coronatorem, et extunc abjuret regnū; et sc̄dm qd assignabit[r] ei port[9] p̄pinqus vel remotus p̄figat[r] ei t̄min[9] exeundi regnū p̄dc̄m: ita qd in eundo p̄sus portū illū, deferens q[a]ndam crucem in manu sua, nō declinet a via regali [aliquo [5]] modo scilt a dextris nec a sinistris, set semp eam teneat quousq; regnū exierit.

Forme Brīū Regioꝝ originaliū plitandoꝝ in Walł.

Breve de Nova Dissi[a] de libo ten, de quo quis lib hō injuste & sine judicio fuit dissesit[9]. Rex Vic Angleseye, Saltm. Quest[9] est nob A. qd B. & C. injuste & sine judicio diss eum de libo ten suo in N. post pacem nr̄am in Walł p̄clamatam anno regni nr̄i xj°. Et ideo tibi p̄cipim[9] qd si p̄dc̄us A. fec̄it te secur de clam suo p̄s, tunc fac tenementū illud reseisiari de catall que in ipo capta fuunt, & ip̄m ten cū catall esse in pace usq; ad c̄tum diem [quando [6]] Justic[9] nr̄ tibi scire faciat. Et int̄im fac xij. libos & leg hōies de visneto illo videre ten illud & nōia illoꝝ [in brī.[7]] Et sum eos p bonos sum qd tunc sint coram p̄fato Justic nro parati inde face recogn; Et pone p vad & salv pleg p̄dc̄os B. & C. vel ballios suos si ipi inventi non fuint qd tunc sint ibi auditur illam recogn. Et ħeas ibi sum nōia pleg & hoc br̄e. Dat apud Karnarvan [tali anno & tali die: vel alibi. [8]]

De Nova Diss[a] de Cōmuna Pasture, sic:

Questus est nob A. qd B. & C. injuste &c. diss eum de cōmuna pasture sue in N. que p̄tinet ad libum ten suū in eadem villa, vel in alia si casus hoc velit, post pacem nr̄am &c. Et ideo tibi p̄cipim[9] qd si p̄dc̄us A. fec̄it te secur [&c.[9]] tunc fac xij lib &c. videre pasturam illam & ten & nōia eoꝝ in brī, & sum eos p bonos sum qd sint coram [p̄fato Justic [10]] &c. parati inde face recogn; & pone p vad [& salv pleg [11]] p̄dc̄os B. & C. vel ballios suos si ipi inventi non fuint, qd tunc sint ibi audiend recogn illam. Et ħeas ibi, &c. Dat, &c. Vel sic: Questus est nob A. qd B. [injuste &c.[12]] levavit vel p̄stravit quandam sepem vel quoddā fossatū, vel obstruxit vel artavit quandam viam, vel divit cursum cujusdam aque, vel levavit vel p̄stravit vel exaltavit quoddam stagnū, in N. ad nocumentū libi ten sui in eadem villa, vel in alia si cas[9] sit, post pacem &c. & ideo tibi p̄cipim[9] qd si p̄dc̄us A. fecer te secur &c.

[1] *dicendo* [2] presentes [3] in rotulo suo
[4] *Justiciari*[9] *Rot.* 2. [5] *ullo* [6] quē
[7] imbrī *Rot.* 1.—inbrī *Rot.* 2. [imbreviari] *and so in other Instances.* [8] vł alibi; tali die, tali anno.
[9] de clam suo p̄s *Rot.* 1. [10] Justic nro *Rot.* 1.
[11] &c. *Rot.* 2. [12] *Rot.* 1. omits.

part of the Father, and another on the part of the Mother shall appear, and say that they are of his Kindred, and the same be testified by liege Subjects of the King, he shall straight cause their Names to be inrolled in this Roll. But if none of the Kindred should appear, it shall likewise be inrolled in his Roll that none doth appear; that the Justice at his coming may the more clearly proceed in what is fit to be done thereupon. The Coroner also shall diligently make Inquiry of the happening of the Accident, and the manner thereof; and according to what he shall find upon the Inquest, shall cause the same to be distinctly inrolled. He shall likewise inquire who found the body, and cause his Name to be inrolled as above.

Sanctuary. Moreover when a Thief, or Manslayer, or other Malefactor shall fly to the Church, the Coroner, as soon as he shall be certified thereof, shall direct the Bailiff of our Lord the King for that Commote to cause to come before him at a certain day the good and lawful Men of the neighbourhood; and in Abjuring the Realm. their presence, after Recognition made of the Felony, shall cause the Abjuration to be made in this manner: That the Felon shall be brought out unto the Church Door, and a Sea Port shall be assigned him by the Coroner, and then he shall abjure the Realm; and, according as the Port assigned shall be far or near, the term shall be set for his going out of the Realm aforesaid: So that in journeying towards that Port, bearing in his Hand a Cross, he shall not in any manner turn out of the King's Highway, that is to say, neither upon the right hand nor upon the left, but shall always hold to the same until he shall depart the Realm.

The Forms of the King's Original Writs to be pleaded in Wales. VI.

Writ of Novel Disseisin for a Freehold. The Writ of Novel Disseisin for a Freehold, whereof any Freeholder shall have been disseised unjustly, and without Judgement.

The King to the Sheriff of Anglesey, Greeting. A. hath complained unto us that B. and C. unjustly, and without Judgement, have disseised him of his Freehold in N. after the Proclamation of our Peace in Wales, in the eleventh year of our Reign. And therefore We command you, that if the aforesaid A. shall give you Security to prosecute his Claim, then you shall cause the said Tenement to be reseised of the Chattels that shall have been taken in the same; and the same Tenement with the Chattels to be in peace until a certain day, whereof our Justice shall give you Notice. And in the mean time cause twelve free and lawful Men of that neighbourhood to view that Tenement, and their names to be put in writing. And summon them by good Summoners that they be then before our Justice aforesaid, ready to make Recognition thereof: And put by Gage and Safe Pledges the aforesaid B. and C. or their Bailiffs, if they be not found, that they be then there to hear that Recognition. And have there the Summoners, the Names of the Pledges, and this Writ. Dated at Karnarvon such a day and year. (Or elsewhere.)

For Novel Disseisin of Common of Pasture, thus:

For Common of Pasture. A. hath complained unto Us that B. and C. unjustly, &c. have disseised him of his Common of Pasture in N. that is appurtenant to his Freehold in the same Town; or in another, if so be the case; after our Peace, &c. And therefore we command you that if the aforesaid A. shall give you Security, &c. then you shall cause twelve free, &c. to view that Pasture and the Tenement, and their names to be put in Writing; and summon them by good Summoners to come before the aforesaid Justice, &c. ready to make Recognition thereof; and put by Gage and safe Pledges the aforesaid B. and C. or their Bailiffs, if they be not found, that they be then there to hear that Recognition. And have there, &c. Dated, &c. Or thus:

For a Nuisance. A. hath complained unto us that B. unjustly, &c. hath raised, or pulled down, a certain Hedge, or a certain Fence, or hath obstructed or narrowed a certain Way, or hath turned aside the Course of a certain Water, or hath made or pulled down, or made higher, a certain Pond in N. to the Nuisance of his Freehold in the same Town; or in another, if so be the case; after our Peace, &c. And therefore we command you that if the aforesaid A. shall give you security, &c. then you shall cause

twelve, &c. to view that Hedge or that Fence, or that Way, or Watercourse, or that Pond, and the Tenement, and their names to be put in writing. And summon them, &c. to come before our Justice, &c. ready, &c. and put by Gage, &c. the aforesaid B. or his Bailiff, &c. that he be then, &c. and have, &c. Dated, &c. And the Forms of the Writs shall be changed according to the Diversities of the Cases.

Writs of Mortdancestor.

Writ of Mortdancestor.

The King to the Sheriff, Greeting. If A. shall give you Security to prosecute his Claim, then summon by good Summoners twelve free and lawful men of the neighbourhood of N. to come before our Justice, ready upon their Oath to make Recognition whether B. the Father of the aforesaid A. was seised in his Demesne as of Fee of such a Manor with the Appurtenances, or of so much Land with the Appurtenances, in N. on the day when he died; and whether he died since the Proclamation of our Peace in Wales, in the eleventh year of our reign. And whether the same A. be his next Heir. And in the mean time let them view that Manor or that Land, and cause their names to be put in writing. And summon by good Summoners C., who now holdeth that Manor, or that Land, that he be then there to hear that Recognition. And have there the Summoners and this Writ. Dated, &c.

Patent for Assizes, to try Novel Disseisin.

And Letters Patent shall be made in these words, until our Lord the King shall ordain otherwise: The King to his Justice, Greeting. Know Ye, that We have constituted you our Justice, together with those whom ye shall think fit to be associated unto you, to take the Assizes of Novel Disseisin and Mortdauncestor in the Parts of Wales. And therefore we command you that at certain days and places, which you shall therefore provide, you do take those Assizes; doing therein what appertaineth to Justice, according to the Law and Custom of our Realm. Saving unto us the Amercements and other things therefore due unto us: For we have given command to our Sheriffs, that they do cause those Assizes to come before you, at certain days and places which you shall for the same make known unto them. In witness whereof we have caused these our Letters Patent to be made unto you. Dated, &c. And there shall be a Writ Close, by the Command of the Justice to be directed to the Sheriffs in this Form: The King to the Sheriff, Greeting. We command you that you cause to come before our Justice at certain days and places which he shall make known unto you, all the Assizes of Novel Disseisin and Mortdancestor arraigned before the same Justice by our Writs, together with the original Writs, Attachments, and all other Proceedings concerning the said Assizes; and this Writ. Dated, &c.

Writ to the Sheriffs.

The Form of Writs shall be applied to each Case.

And the Form of the Writ shall be changed according to the Diversities of the Cases; that is to wit, if the Mother, or the Brother, or the Sister, or the Uncle, or the Aunt were seised in Demesne as of Fee of the Thing demanded by Process of Mortdancestor, on the Day when they died. And when many Coheirs and Parceners of any Inheritance demand that Inheritance, that is to say, when one of them demandeth on the Death of Father or Mother, Brother or Sister, Uncle or Aunt, and another or others of those Coheirs demand on the Death of a Grandfather or Grandmother, or Cousin, Male or Female, a Writ of Mortdancestor shall be made to them upon their Case; because that Part of the said Writ that toucheth the kind of Ancestor who is dead, according to the Clause thereof commonly used, draweth unto it the Nature of other Articles touching Coheirs in remoter Degrees.

The General Writ; which in one Case concerneth the Right, and in another the Possession.

General Writ of Disseisin.

The King to the Sheriff, Greeting. Command A. that justly and without Delay he render to B. the Manor of N. with the Appurtenances whereof the aforesaid A. deforceth him, as he saith; and unless he shall so do, and if the aforesaid B. shall give you Security to prosecute his Claim, then summon by good Summoners the aforesaid A. that he be before our Justice, to shew wherefore he hath not done it. And have there the Summoners and this Writ. Dated, &c. Or thus: Command A. that justly, &c. he render so much Land with the Appurtenances in N. as before. And in like manner that Writ shall be granted before the Justices in the Bench, if the Demandant chooseth.

tūc fac̃ xij &c. videre sepem illam, vel fossatū illud, vel viam illam, vel c'sum illi⁹ aque, vel stagnū illud, & ten̄, & nōia eo⁊ in bri. Et sum̄ eos, &c. qd̄ sint coram Justic̃ [nr̄is,'] &c. pati, &c. & pone p vad', &c. p̄dc̃m B. vel Ball'm, &c. qd̄ tūc sit, &c. & h̄eas, &c. Dat', &c. Et mutent' forme br̄ium sc̃dm diu̇sitates casuū.

Bria de Morte Antecessor̄.

Rex Vic̃, Salt'm. Si A. fec̃it te secur̄ de clam̄ suo ps̄ tunc sum̄ p bonos sum̄ xij. lib̄os & leg̃ hōies de visneto de N. qd̄ sint coram Justic̃ nr̄o, pati sacr̄o recognoscere si B. pat̄ p̄dc̃i A. fuit seisit⁹ in dn̄ico suo ut de feodo de manio tali cū pt̄in̄, vel de [tanta t̄ra ⁴] cū pt̄in̄, (³) die quo obiit; & si obiit post pacem nr̄am in Wall' pclam̄ anno regni nr̄i undecio. Et si idem A. ppinquior heres ejus sit. Et int̄im manū illud vel terram illam videant & nōia eo⁊ in br̄i faciant. Et sum̄ p bonos sum̄ C. qui manū illud vel t̄ram illam tenet qd̄ tunc sit ibi ad audiend̄ illam recogn̄. Et h̄eas ibi sum̄ & hoc br̄e. Dat', &c. & fiant Lr̄e Patentes sub hiis v̄bis, quousq; Dn̄s Rex aliud inde ordinav̄it: Rex Justic̃ suo, Salt'm. Sciatis qd̄ constituim⁹ vos Justic̃ nr̄m, una cū hiis quos vob̄ [duexeritis ⁴] assoc̃, ad ass̄ Nove Disseisine & Mortis Antecessor̄ in pt̄ib̄ Wall' cap̄. Et ideo vob̄ mandam⁹ qd̄ ad c̄tos dies & loca, quos ad hoc provideritis, Ass̄ illas cap̄; fc̄uri inde qd̄ ad justiciam pt̄inet sc̃dm legem & consuetudinem regni nr̄i. Salvis nob̄ amc̃iamentis & aliis ad nos inde spectantib̄: Mandavim⁹ enim Vicebz nr̄is qd̄ ad c̄tos dies & loca, quos ad hoc eis scire facietis, Ass̄s illas coram vob̄ venire fac̃. In cuj⁹ rei testimoniū has lr̄as nr̄as vob̄ fecim⁹ fieri Patentes. Dat', &c. Et fiat Br̄e clausum, ad mandatū Justic̃, dirigend̄ Vicebz sub hac forma. Rex Vic̃, Salt'm. p̄cipim⁹ tibi qd̄ om̄es ass̄s Nove Diss̄ & Mortis Antecessor⊽, coram Justic̃ nr̄o [arranatas ⁵] p br̄ia nr̄a, venire fac̃ coram eodem Justic̃ ad c̄tos dies & loca, quos tibi scire faciet, cū br̄ib̄ originalib̄ attach̄is & om̄ib̄ aliis adminictis dc̄as ass̄s [tangentib̄ ⁶] & hoc br̄e. Dat', &c. Et mutet' forma br̄is sc̃dm diu̇sitates casuū, videl't; si mat̄ vel frat̄ vel soror vel avuncl's vel amita fuit seisit⁹ in dn̄ico suo ut de feodo de [repetita ⁷] p viam Mortis Antecessor̄ die quo obiit. Et quando plures coh̄edes & participes alicuj⁹ h̄editatis petunt ip̄am h̄editatem, videl't, quando un⁹ ip̄o⁊ petit de morte pr̄is vel mr̄is, fr̄is vel sororis, avunculi vel amite, & alius vel alii ex ip̄is coh̄edib̄ petunt de morte avi sui vel avie sue, vel consanguinei sui vel consanguinee sue, fiat eis br̄e Mortis An̄ces̄ in suo casu; quia illa ps̄ d̄ci br̄is que tangit nat'am Mort̄ An̄ces̄, jux⁹ articl'm inde usitatū, att⁹hit ad se nat'am alio⁊ articlo⁊ [tangit ⁸] coh̄edes in g⁹dib̄ remoc̃oribus.

Breve Comune; qd̄ in aliquo casu tangit Jus, & in aliquo Possessionē.

Rex Vic̃, Salt'm. Precipe A. qd̄ juste & sine dilōne reddat B. manū de N. cū pt̄in̄, qd̄ p̄dc̃us A. ei deforc̃ ut dicit; Et nisi fec̃it, & p̄dc̃us B. fec̃it te secur̄ de clam̄ suo ps̄, tunc sum̄ p bonos sum̄ p̄dc̃m A. qd̄ sit coram Justic̃ nr̄o ostens̄ quare non fec̃it. Et h̄eas ibi sum̄ & hoc br̄e. Dat', &c. Vel sic: Precipe A. qd̄ juste, &c. reddat B. tantū terre cū pt̄in̄ in N. ut sup⁹. Et similit̄ concedat' istud br̄e coram Justic̃ in Banco si petens volu̇it.

¹ nr̄o
² duxlitis
³ in N. *Rot.* 1.
⁴ tanto t̄re
⁵ arrannatas
⁶ contingentib̄
⁷ re petita
⁸ tangenciū

Breve de Dote in Wall.

Rex Vic̃, Saltm̃. Precipe A. qđ juste & (1) dilõne reddat B. que fuit ux̃ C. rõnabilem dotem suam, que eam contingit de libo tenemento quod fuit p̃dci C. quondam viri sui in N. unde nichil h̃t ut dicit, & unde querit' qđ p̃dcus A. ei deforc̃; et nisi fec̃it & p̃dca B. fec̃it te secur̃ de clam̃ suo p̃s tunc sum̃ p bonos sum̃ (2) A. qđ sit coram Justic̃ nr̃o, &c. ostens̃, &c. & h̃eas ibi sum̃ & hoc br̃e. Dat̃, &c. Et mutet' forma br̃is sc̃dm div̄sitatem casuũ; videlt, si mulier dotata fuit ad hostiũ eccl̃ie, de assensu & voluntate p̃ris, vel alt̄ius antecessoris cuj̄ h̃es esse pot̄it vel esse debet.

Breve de Debito.

Rex Vic̃, Saltm. Precipe A. qđ juste & sine dilõne reddat B. Centũ solidos quos ei debet & injuste detinet ut dicit; & nisi fec̃it & p̃dc̃s B. fec̃it te secur̃ de clam̃ suo p̃s tunc sum̃ p bonos sum̃ p̃dc̃m A. qđ sit coram Justic̃ nr̃o ostensur̃ quare non fec̃it. Et h̃eas ibi sum̃ & hoc br̃e. Dat̃, &c. Et si catalla vel sacci lanar̄ exigant' fiat eis br̃e subscriptũ: Rex Vic̃, Saltm. Precipe A. qđ juste & sine dilõne reddat B. unũ saccũ lane p̃cii decẽ marcar̄ quẽ ei injuste detinet, vel catalla ad valenc̃ decem marcar̄ que ei injuste detinet ut dicit; et nisi fec̃it (3) ut sup̃. & fiant formł consiłis br̃is, sc̃dm ostensionẽ petenciũ & div̄sitates casuũ; & non fiant h̄i br̃ia [de debit' (4)] coram Justic̃ placitand̃ de minori sũma q'm de xl̃ solid̃, set plita de debito que sũmã xl̃ solid̃ nõ attingũt in Com̃ plitent' & in cõmotis similr. Et si forte petens plitare volł̄it de h̄i in Comitatu tunc fiat ei tale br̃e qđ vocat' [Justic̃.(5)] Rex Vic̃, Saltm. Precipim̄ tibi qđ justic̃ A. qđ juste & sine dilõne reddat B. centũ solid̃ quos ei debet ut dicit, sicut rõnabilit̄ monstrare pot̄it qđ ei reddere [debet;(6)] ne amplius inde clam̃ audiam̄ p defc̃u justicie. Dat̃, &c. Vel sic: Qđ reddat ei unũ saccũ lane p̃c̃ x. m'r̃c̃ quẽ (7) injuste detinet, vel catall̃ ad valenc̃ x. m'r̃c̃, que ei injuste detinet ut dicit, sicut rõnabilit̄ monstrare pot̄it, ne ampł, &c. Dat̃, &c. Et fiat inde Pone, si petat', sub hac forma: Rex Vic̃, Saltm; Pone, ad petic̃oem petentis coram Justic̃, &c. tali die, loquelam que est in Com̃ tuo p br̃e nr̃m int̄ A. & B. de debito centũ sol̄, qđ idẽ A. a p̃fato B. exigit; Et sum̃ p bonos sum̃ p̃dc̃m B. qđ tunc sit ibi, p̃fato (8) inde respons̃; & h̃eas ibi sum̃ & hoc br̃e, & aliud br̃e. Dat̃, &c.

Breve de Convenc̃oe:

Rex Vic̃, Saltm; Precipe A. qđ juste & sine dilõne teneat B. convenc̃oem int̄ eos fc̃am de uno mes̃, x. ac̃r̄ tr̃e, & v. ac̃r̄ [terre bosci,(9)] cũ ptiñ in N. & nisi fec̃it, &c. tunc sum̃ (10) p̃dc̃m A. qđ sit, &c. ostens̃, &c. Dat̃, &c. Et fiant br̃ia de convencione sc̃dm querimonias contr'henciũ & div̄sitates casuũ [siv̄ (11)] coram Justic̃, vel in Com̃, juxta petenciũ voluntatem; Et si volł̄nt in Com̃ plitare fiat eis br̃e qđ vocat' Justic̃; Et postmodũ inde pot̄it fieri Pone, si petat'.

Forma Br̃is de Attorn̄:

Rex Vic̃, Saltm; Sciatis qđ A. attornavit coram nob̃ B. & C. ad luc'nđ vel p̃dend̃, in loquela que est coram vob̃ p br̃e nr̃m, int̄ ip̃m A. petentẽ & [A.(12)]

[1] sine [2] p̃dc̃m [3] &c.
[4] *Rot.* 1. omits. [5] Justicies *Rot.* 1. [6] debeat *Rot.* 1.
[7] ei [8] A [9] bosci
[10] p bõ sum̃ *Rot.* 1. [11] sive [12] D.

The Writ of Dower in Wales.

The King to the Sheriff, Greeting. Command A. that justly and without Delay he render to B. who was the Wife of C. her reasonable Dower that to her belongeth of the Freehold that was the aforesaid C's, late her Husband, in N. whereof she hath nothing, as she saith, and whereof she complaineth that the aforesaid A. deforceth her; and unless he shall so do, and if the aforesaid B. shall give you Security to prosecute her Claim, then summon by good summoners the aforesaid A. that he be before our Justice, &c. to shew, &c. and have there the summoners and this Writ. Dated, &c. And the Form of the Writ shall be changed according to the diversity of the Cases; to wit, if the Woman should have been endowed at the Church door, by the Consent and Will of the Father, or other Ancestor whose Heir he may be or ought to be. Writ of Dower.

The Writ of Debt.

The King to the Sheriff, Greeting. Command A. that justly and without delay, he render to B. One hundred Shillings, which he oweth to him and unjustly detaineth, as he saith; and unless he shall so do, and if the aforesaid B. shall give you Security to prosecute his Claim, then summon by good summoners the aforesaid A. that he be before our Justice to shew wherefore he hath not done it. And have there the summoners and this Writ. Dated, &c. And if Chattels or Sacks of Wool should be demanded, the Writ shall be as underwritten: The King to the Sheriff, Greeting. Command A. that justly and without Delay, he render to B. one Sack of Wool of the Value of Ten Marks, which he unjustly withholdeth from him; or Chattels to the Value of Ten Marks, which he unjustly withholdeth from him, as he saith. And unless he shall so do, &c. as before. And the Forms of like Writs shall be made according to the Plaintiff's shewing, and to the diversities of the Cases. And such Writs of Debt to be pleaded before the Justice, shall not be made of a less Sum than Forty Shillings. But Pleas of Debt that amount not to the Sum of Forty Shillings, shall be pleaded in the County Court, and likewise in the Commote. And if it happen the Plaintiff should choose to plead of such in the County Court, then let there be made to him this Writ, which is called Justicies. Writ of Debt. Jurisdiction of County Court.

We command you, that you hold to justice A. that justly and without Delay, he render to B. One hundred Shillings which he oweth to him, as he saith, as he may reasonably prove that he ought to render the same; so that we may hear no more Complaint thereof for Failure of Justice. Dated, &c. Or thus: That he render to him a Sack of Wool, of the Value of Ten Marks, which he unjustly withholdeth; or Chattels to the Value of Ten Marks, which he unjustly withholdeth from him, as he saith, as he may reasonably prove; So that, &c. Dated, &c. And a Pone shall be thereupon made if demanded, in this Form: The King to the Sheriff, Greeting. Put, at the request of the Plaintiff, before our Justices, &c. at such a day, the Plaint that is in your County Court by our Writ, between A. and B. of a Debt of One hundred Shillings, which the same A. demandeth of the aforesaid B. And summon by good summoners the aforesaid B. that he be then there to answer thereof to the aforesaid A. and have there the summoners and this Writ; and the other Writ. Dated, &c. Writs of Justicies. Writ of Pone.

The Writ of Covenant.

The King to the Sheriff, Greeting. Command A. that justly and without Delay, he keep with B. the Covenant made between them of One Messuage, Ten Acres of Land, and Five Acres of Wood-Land, with the Appurtenances in N. And unless he shall do so, &c. then summon the aforesaid A. that he be, &c. to shew, &c. Dated, &c. And let Writs of Covenant be made according to the Complaints of the Contracting Parties, and the Diversities of the Cases, whether before the Justice, or in the County Court, at the will of the Plaintiffs. And if they choose to plead in the County Court, let them have the Writ called Justicies; and thereafter a Pone shall be made, if it be demanded. Writ of Covenant. In the County Court, &c.

The Form of the Writ of Attorney.

The King to the Sheriff, Greeting; Know ye that A. hath before us made his Attornies B. and C. to win or lose in the Plaint that is before you by our Writ, between the said A. Writ of Attorney

Demandant and D. Tenant, of one Messuage with the Appurtenances in N. and therefore we command you, that you do for this purpose receive the aforesaid B. and C. or either of them, if both cannot be present, in the place of him the said A. Dated, &c. And in the same Manner shall Writs of Attorney be made in other Cases, according to the Diversities of the Cases, and the Forms of the Writs.

The Form of the Writ for choosing a Coroner.

Writ to choose a Coroner.

The King to the Sheriff, Greeting; We command you, that in your full County Court, and by the Assent of the same County, you cause a Coroner to be chosen; who having taken the Oath, as the Custom is, shall thereafter do and observe those Things that belong to the Office of Coroner in the aforesaid County; And that you cause to be chosen one, who hath best Knowledge and Ability to execute that Office; And that you make known unto us his Name. Dated, &c. And if he should be sick, or should die, or for any other cause be unable to execute his Office, then let another Writ be made, changing what ought to be changed.

VII. Trials.

Of Pleas, some are to be determined by the Assize, some by Juries: By the Assize are to be determined;

Proceedings in Assize of Novel Disseisin.

WHEN one who is seised of a Freehold, being afterwards disseised by Force, demandeth Seisin to be restored to him, in this Case there is provided the Writ of Novel Disseisin, in the Form above written among the other original Writs of the Chancery: In like manner for Common of Pasture, when one being disseised of his Common of Pasture appurtenant unto his Freehold, demandeth Seisin to be restored to him; for this Case also there is provided the same Writ of Novel Disseisin, by the changing of certain Words in the Form above written among the other original Writs of the Chancery; wherein the Proceeding is to be thus: First, the Sheriff, having taken from the Plaintiff two Pledges to prosecute, shall cause to be chosen Twelve free and lawful Men, &c. of the neighbourhood where the Tenement or Pasture lieth, and shall cause them to view the Tenement, and in like manner the Pasture, and shall attach the Disseisors as it is contained in the Writ: Afterwards, when the Parties and the Assise shall come before the Justice, the Plaintiff shall be asked of what Freehold or of what Common of Pasture he complaineth that he is disseised; and according to his Complaint, and the Answer of the adverse Party, they shall proceed to the taking of the Assise, unless the Disseisor can say any thing wherefore the Assise ought to tarry. And if the Assise do pass for the Plaintiff, he shall recover his Seisin, together with the Damages taxed by the Assise, against the Disseisor; and the Disseisor shall abide in Mercy of our Lord the King, or shall be committed to Prison to be ransomed, if the Disseisin were done outrageously, and with an armed Force.

Common of Pasture.

Other Writs of Assise.

There are certain other Writs which are to be determined by the Assize, to wit, of a Pond made, pulled down, or raised higher; of a Fence raised or pulled down; of a Hedge raised or pulled down; of a Way obstructed or narrowed; of a Water Course turned aside; and according to the Diversity of the Cases, the original Writ shall be changed: Which Writs are contained above with the Writs of Novel Disseisin; and the Proceeding therein is after the same Manner as is above said in the Writ of Freehold, and of Common of Pasture: In the abovesaid Writs of Assise of Novel Disseisin, no Essoin or Delay lieth; but the Proceeding to do Justice beginneth on the first Day.

Proceedings in Writs of Mortdancestor.

There is another Writ of Assises: When any one demandeth Seisin of a Tenement whereof his Ancestor died seised; that is to say, the Father, Brother, Uncle, and Grandfather; for which case there is provided the Writ of Mortdancestor, in the Form contained in the aforesaid Roll among the other Writs. And it sometimes happeneth that Seisin of an Ancestor is demanded where the Ancestor hath not died seised, but was seised on the Day when he entered into Religion, or began a Pilgrimage, in which Journey he died; and then in place of the Clause, On the Day whereon he died, shall be put, On the Day whereon he entered into Religion, or began his Pilgrimage, &c. in which Pilgrimage, &c. and if, &c.

In this Writ of Mortdancestor the Proceeding shall be after this Manner: First, Pledges to proseute being found, and the Assise elected, and View made by the Jurors, the Tenant shall tenentē de uno meš cū ptiñ in N. & ideo vob mandam[9] qd p̄dcos B. & C. vel alt̄um ip̄oz̄, si ambo int̄esse non possunt, loco ip̄i[9] A. ad hoc recipiatis. Dat̄, &c. Et eodem modo fiant Br̄ia de Attornā in aliis casib; sc̄dm div̄sitates casuū & formas breviū.

Forma Br̄is de Coronatore eligendo.

Rex Vic̄, Salt̄m; Precipim[9] tibi qd in pleno Com̄ tuo, & de assensu ejusdem Com̄, eligi fac̄ unū Coronatorem, qui p̄stito sac̄ro put moris est, extūc fac̄ & conservet ea que ad officiū Coronator̄ ptiñ in Com̄ p̄dc̄o; Et talem eū eligi fac̄ qui melius sciat & possit officio illi intende; Et nom̄ ejus nob scire fac̄. Dat̄, &c. Et si ip̄e infirmet[r] vel moriat[r], vel ob aliquam aliam causam officio illi intendere nequiverit, tunc fiat aliud br̄e mutatis mutandis.

Plitoz̄, quedam ñent t̄minari p Assisam, quedam p Juratas: P Assisam ñent t̄minari;

Cū quis seisitus de libo ten̄ postea p vim disseisit[9] petit seisinam sibi restitui, & in hoc casu p̄visū est br̄e de nova disseisina in forma int̄ alia br̄ia originalia Cancellarie sup[a]scripta: Similit̄ de comuna pasture, cū quis disseisit[9] de com̄una pasture sue, p̄tinente ad libum ten̄ suū, petit seisinā sibi restitui; & in hoc casu p̄videt[r] idem br̄e de nova disseisina, p mutac̄ões quoz̄dam v̄boz̄, in forma int̄ alia br̄ia originalia Cancellarie sup[a]scripta; in quib; (1) sic est p̄cedend: P[i]mo, receptis a querente duob; pleg̃ de p̄s, Vic̄ faciat eligi xij. libos & legales hōies, &c. de visneto ubi ten̄ vel pastura existit, & faciat eos videre ten̄ & simil[r] pasturā & attachiet disseisitores p̄ut continet[r] in br̄i: Postea cū p̄tes & assīa ven̄int coram Justic̄ querat[r] a querente de quo lib ten̄ vel de qua cōa pasture querit[r] se disseisiri, & sc̄dm ejus querimoniā & responsionē p̄tis adv̄se p̄cedat[r] ad capc̄oem assīe, nisi disseisitor aliquid sciat dic̄e quare ass[a] debeat remanere. Et si ass[a] faciat p querente, recupet querens seisinam suam, simul cū dampnis taxatis p assisam v̄sus disseisitorem, & disseisitor remaneat in m̄ia Dñi Regis, vel cōmittat[r] gaole redimendus si disseisina fc̄a fuit enormit̄, & vi armata.

Sunt quedam alia Br̄ia que p Assisam habent t̄minari, vid;, De Stagno levato, p̄strato, exaltato; De Fossato levato vel p̄strato; Sepe levata vel p̄strata; De via obstructa vel artata; De c'su aque div̄so; & sc̄dm div̄sitatem casuū div̄sificet[r] br̄e originale. Que quidem br̄ia cū br̄ib; de Nova Dissīa [supius continet[r]; [2]] Et eodem modo sicut sup[a]dc̄m est in br̄i de libo ten̄ & cōa pasture est p̄cedend in eisdem: In sup[a]dc̄is Brib; Assise Nove Dissīe nullū jacet Essoniū seu Dilacio, set p[i]ma die p̄cedat[r] ad Justiciam faciend.

Aliud est Br̄e [Assisoz̄ [3]] quando aliquis petit Seisinam ten̄, uñ antecessor suus obiit seisit[9]; videlt, pat̄, frat̄, avuncls & avus; in quo casu p̄visum est Br̄e Mort̄ antecessoz̄ in forma int̄ ceta br̄ia [in Rotlo p̄dc̄o [4]] contenta. Contingit eciam aliquando qd petit[r] seisina antecessoz̄ in casu quando antecessor nō obiit seisit[9], (1) die quo ñitū religionis suscepit, vel it̄ peg[r]nac̄ois arripuit in quo itin̄e obiit; & tunc loco illius clausule, die quo obiit, pona[r] die quo ñitū religionis suscepit, vel it̄ pegrinac̄ois &c. in quo itin̄e, &c. & si te, &c. In isto br̄i (6) antecessoz̄ sic est p̄cedend: p[i]mo inventis pleg̃ de p̄s, & el̄ca assisa & visu fc̄o a juratoribz̄, sūmoneat[r] tenēs p

[1] brevib;
[2] Assisaz̄
[3] set fuit seisitus
[4] in p̄dc̄o rotulo vt supius ptinent[r].
[4] vt supius in rotlo p̄notato
[6] mortis

duos bonos & leḡ summonitoř qđ sit coram Justič ad ȼtum diem, & contineat sumonicio xv. dies ad minus; ad quē diem si veñit ꝑcedat Justič in officio suo exequendo. Et si ad diem illū non veñit puniat' ꝑ defalta sua, sčđm qđ continet' in lege Walensica, sciłt ꝑ tres vaccas vel ꝑ ꝑciū eaȝdem; & resumoñ ꝑ alios duos sumoñ, sumoničőe siłr continente spaciū xv. dierū sicut ꝑdčm est; ad quem diem [si [1]] veñit sive non, ꝑcedat Justič ad officiū suū faciend; nisi fečit se essoniare de ult[a] mare, & tunc dabit' ei spaciū xl. dierū ut possit ȶre Eb & Flod; set caveat sibi qui se sic essoniavit, qđ si existens infra quatuor maria de ult[a] mare falso se essoniavit, et sup hoc convincat' ꝑ bonā ꝑbacionem vel ꝑ bonam inquisičőem, puniat' tanq[a]m ꝑ defalta, p'mo ꝑ ñiam (z) qđ continet' in lege Walensica, & ꝑcludet' ei via aliquid dicendi cont[a] Assisam, nisi vocare possit ad warantū. Et sciend qđ nec in bři mortis ancessoris nec [alio [3]] bři de plio ȶre jacet aliquod Essoniū, nisi tm̄ Essoñ de ult[a] mare, & hoc anteq[a]m tenens vel deforč appareat in Cuř; Et essoñ de ꝟvicio Dñi ℟, qđ jacet in oīni loco pliti cū Rex illud warantizare volłit; set caveat sibi qđ falso nō faciat se essoniare de ꝟvicio Dñi ℟; Quia si deficiat de waranto ℟ puniat' ꝑ [defalta [4]] ꝑ ñiam Dño Regi dandam sčđm̄ legem Walensicam, & ꝟsus ꝑtem adꝟsam de expensis sibi refundendis de illa jorneta sčđm discrecionē Justič. In istis břibꝫ Morť Añcessoř sic est ꝑced: Lecto p'mo bři in quo continet' peticio petentis querat' a deforciante si quid sciat dič quare assȉa debeat remanere; qđ si nesciat, capiat Justiciař ass[a]m ꝑ Juratores qui meli[9] sciant ꝟitatem sčđm formā břis. Et si ass[a] t[a]nseat ꝑ petente adjudicet' petenti seisina cū Dampnis taxť ꝑ Juratores, & Deforcians remaneat in ñiia Dñi ℟. Multa quidem potest Deforcians dič cont[a] Assȉam; potest enim vocare ad warantū, et tūc expectand[9] est advent[9] Waranti, q̄m Justič fač venire, p'mo ꝑ unam sum̄ & si necesse sit ꝑ resum̄ sicut dčm est de principali deforciante, & ꝑ defalt puniat' sicut ꝑdčm est: post resum̄ si nondum veñit nec se essoniavit ꝑcedat Assisa ꝟsus eū ꝑ defaltam. Et si Ass[a] t[a]nseat ꝑ petente adjudicet' petenti seisina rei petite, & deforcians ħeat de ȶra Waranti ad valenciam. Si vero Warantus veñit & petat sibi ostendi ꝑ quod debeat warantizare, optet qđ Vocator ostendat cartam que faciat mencionem de [Warencia,[5]] vel de Dono fčo a Waranto vel antecessore suo cuj[9] ħes ipe est, in quo fiat mencio qđ de feofatore & ejus ħedibꝫ tenere debeat; vel qđ ostendat qđ Warant[9] (6) seisit[9] de homagio suo ꝑ tenemento petito; qđ ħet inquiri, si dedicat', ꝑ eos in quoȝ ꝑsencia dicet se fecisse homagiū, simul cū aliis libis & leḡ hōibꝫ juratis; vel qđ teneat [tementū [7]] illud in excambiū ꝑ alio teñ: si ꝑ ista potłt deforcians duč Warantū suū ad warantizand remanebit in ñiia ℟ quia [deduxit [8]] warantizare; Et nichilomin[9] considabit' qđ warantizet & respondeat ad Assisam si volłit. Multa alia potest deforcians dič cont[a] Assisam, videłt, qđ antecessor de cuj[9] morte, &c. cōmisit feloniam ꝑ qua fuit suspens[9], utlagat[9], vel tanq[a] public[9] latro fugiens & [jure [9]] non parens decapitat[9], vel si confitens feloniam coram Coronatore Walliam abjuravit: potest eciam Deforcians obič petenti bastardiam, & tunc mandabit' Epo loci qđ rei ꝟitatem sup hoc inquirat & ȼtificet inde capitalem Justič Wall; Et sčđm qđ Epus ȼtificavit ꝑcedet' ad judm sine capčőe assȉe:

[1] sive [2] scđm
[3] in aliq[o] *Rot.* 1.—in alio *Rot.* 2. [4] defaltis
[5] Warancia [6] sit [7] tenementū
[8] dedixit [9] juri

be summoned by Two good and lawful Summoners, that he be before the Justice at a certain Day; and the Summons shall contain Warning of Fifteen Days at the least; at which Day, if he come, the Justice shall proceed in the Execution of his Office. And if he come not at that day, he shall be punished for his Default according to the Provision of the Welsh Law, that is to say, by Three Cows or the Value thereof; and he shall be summoned again by Two other Summoners, by a Summons containing the like Warning of Fifteen Days, as before is said; at which Day, whether he come or not, the Justice shall proceed to do his Office; unless he shall cause himself to be essoined for being beyond Sea, and then there shall be given him the space of Forty Days, so that he have Ebb and Flood; but let him that shall so essoin himself, beware: For if, being within the Four Seas, he falsely essoin himself for being beyond Sen, and be thereof convict by good Proof, or by good Inquest, he shall be punished as for a Default, at the first by Amerciament, according to what is contained in the Welsh Law; and also, he shall be estopped from saying any thing against the assise, unless he can vouch to Warranty. And be it known, that neither in the Writ of Mortdancestor, nor in any Writ of a Plea of Land, doth any Essoin lie, except only the Essoin of being beyond Sea, and this before the Tenant or Deforciant appeareth in Court; and the Essoin of being in the King's Service, which lieth in every stage of the Plea when the King shall be pleased to warrant the same: but let him beware that he doth not falsely cause himself to be essoined of the King's Service; for if he should fail of the King's Warranty, he shall be punished for his Default by Amercement to be made to our Lord the King, according to the Welsh Law, and by paying to the adverse Party his Expences of that Day, according to the Justice's discretion. In these Writs of Mortdancestor, the Proceeding shall be after this Manner: First, the Writ being read wherein is contained the Claim of the Demandant, the Deforciant shall be asked if he can say ought wherefore the Assise ought to tarry: Which if he cannot, the Justice shall take the Assise by the Jurors who may best know the Truth, according to the Form of the Writ. And if the Assise pass for the Demandant, Seisin shall be adjudged to the Demandant with Damages taxed by the Jurors, and the Deforciant shall abide in the King's Mercy. But the Deforciant may alledge many Things against the Assise; for he may vouch to Warranty, and then the arrival of the Warrantor is to be waited for; whom the Justice shall cause to come by one Summons at the first, and if it be necessary by Re-summons, as hath been said in the case of the principal Deforciant; and he shall be punished for a Default as is aforesaid: if after Re-summons he come not, nor shall essoin himself, the Assise shall proceed against him by Default. And if the Assise pass for the Demandant, Seisin of the thing in question shall be adjudged to the Demandant, and the Deforciant shall have to the Value, of the Land of the Warrantor. But if the Warrantor come, and require to have that shewn him whereby he ought to warrant, it behoveth the Voucher to shew the Deed, that maketh mention of the Warranty, or of a Gift made by the Warrantor or his Ancestor whose Heir he is, wherein it is declared that he ought to hold of the Feoffor and his Heirs; or, to shew that the Warrantor were seised of his Homage for the Tenement demanded; which is to be inquired of, if it should be denied, by those before whom he shall say he did the Homage, together with other free and lawful men sworn; or, that he holdeth that Tenement in Exchange for another Tenement: if hereupon the Deforciant can bring his Warrantor to warrant, he shall abide in the King's Mercy, because he hath denied the Warranty: Yet nevertheless it shall be considered that he may warrant, and make Answer to the Assise, if he choose.

Essoins.

Proceedings on Trial of Writs of Mortdancestor.

Warranty.

The Deforciant may alledge many other Things against the Assise; to wit, that the Ancestor of whose Death, &c. committed Felony, for which he was hanged, outlawed, or as a publick Thief escaping, and not obedient to the Law, beheaded; or that he abjured Wales, upon Confession of the Felony before the Coroner: The Deforciant may also object Bastardy to the Demandant; and thereupon the Bishop of the place shall be directed to make Inquiry of the Truth of the Fact; and thereof to certify the Chief Justice of Wales; And according to what the Bishop shall have certified, they shall proceed to Judgment, without taking the Assise:

Other Defences of the Deforciant.

And if the Bishop return that he is a Bastard, he shall be estopped from making the Demand; And if he return that he is legitimate the Justice shall cause the Deforciant to come by Summons, and if it be necessary, by Re-summons; reserving to the King as hath been often said, the Amercement for Default; After the Resummons, whether he come or not, the Demandant shall recover his Demand by the Bishop's Testimony, whose Testimony shall not be gainsayed; and he shall remain in the King's Mercy. Many other things he may alledge, which it is hard to enumerate; as that the Ancestor on whose Death the Assise is arraigned was a Villain, and held the Land in Villenage; or that he held it at Will, or for Term of Life, or Years: In which cases the Assise of Mortdancestor lieth not. And the abovesaid Assises of Novel Disseisin and Mortdancestor ought not to be taken but in their proper Counties, lest the Country should be overcharged with trouble and expence; but the Assises shall be taken by the Justice twice, thrice, or four times in the Year.

VIII. Of Inquests, Juries, and Trials.

It hath been treated in part of Writs and Assises, and of the *Proceeding therein*: It behoveth now to speak of Pleas that are to be determined by Inquests or by Juries: Whereof some are of Things immoveable as of Tenements, or of Moveables, as of Debts and Chattels, some of both Kinds, some of Trespasses: But first, something is to be said of Tenements and immoveable Things; For which there is a Writ provided, the Form whereof is contained among the other Writs of those Parts; The Process upon that Writ is such; First, there being found Pledges to prosecute, the Sheriff shall cause the Tenant to be summoned by good Summoners, that he appear at a certain Day; at which Day if he come not, he shall be summoned again for another Day; and if he come not at the second Day, he shall be summoned to appear at a third Day; at which Day if he come not, nor cause himself to be essoined, Seisin shall be awarded to the Demandant by Default, and the Deforciant shall abide in the King's Mercy; Reserving nevertheless unto the King the Amercement for every Default, as hath been said before.

In Real Actions.

Summons and Default.

Declaration.

Now when the Deforciant shall appear, by reason that the Plaintiff's Demand cannot be known from the Words of the Writ, for that the Causes of suing are many, and almost infinite, it is necessary that the Demandant should count against the Deforciant, and express the Cause of his Demand, and this by Words that contain the Truth, without Exception to Words: Not following that hard rule, He who fails in a Syllable, fails in the whole Cause.

Causes of Suit.

Of the Causes of Suit, what they may be and ought to be, it is fit that something should be briefly said. Oftentimes the Demandant hath Right by this, that his Ancestor held the Land in Demand, and was thereof seised as of Right and Fee; and then the Demandant must count of the Descent of Kin descending to himself. It happeneth also that a man demiseth Land for Term of Life or Years, after which Term the Land ought to revert to himself or his Heirs; Or likewise that it ought to revert to him, after the Death of a Woman Tenant in Dower; or as an Escheat after the Death of his Tenant, being a Bastard, because such an one cannot have other Heir than one lawfully begotten of his own Body; Or, after the Death of his Tenant, who hath committed Felony: In any of the four Cases aforesaid, or where, after the Death of any one the Land ought to remain unto another by the Form of the Gift, in these Cases and the like, the Demandant shall declare his Demand according to his Case; and in these Cases and the like, wherein the aforesaid Writ is to be used, that, and none other, shall be used: And the Demandant's Count being heard, the Tenant shall have a view of the Land, if he require it, and a Day shall be given within which the View shall be had; and at the Day given after the View, the Deforciant shall make Answer; who may vouch to Warranty by the Aid of the Court, as it hath been said in the Writ of Mortdancestor; and the Justice shall cause the Warrantor to come, as he caused the Principal, by one Summons, and if it be necessary by a second and a third; at which, if he come not, he being punished upon every Default, as is aforesaid, Seisin of the thing in question shall be awarded to the Demandant for the Default of the Warrantor; and the Deforciant shall have to the Value of the Land of the Warrantor, and the Warrantor shall be in Mercy. If the Warrantor come and freely warrant, he shall be received to answer and defend the Plea, without having a View of the Land.

View.

Deforciant's Warranty.

& si Epc̃ mandat qđ bastardus est p̄cludat' ei via petendi; & si mandat qđ legitim⁹ est Justic̃ fac̃ venire deforc̃ p sum̃, & si nec̃c̃e sit p̄ resum̃, reservata p̄ dñia p̄ defalta ut sepe dc̃m est: Post resum̃ sive venit sive non recupabit petens demandam suam, p̄ testimoniū Epi cuj⁹ testiōio non credit' in contr'iū; & remanebit in mia p̄. Multa alia potest dic̃e que difficile c̃et enūr̄are; sicut antecessor de cuj⁹ morte Assia arrannata est fuit villan⁹ & r̄am tenuit in villenagiū; vel qđ tenuit ad voluntatem, vel ad r̄minū vite vel annoz; in quib3 casib3 Assia Mortis Antecessoris non jacet. Non debent autē supād̄c̃e assie nove disseie & mortis Antecessoz capi nisi in p̄priis Com̃ ne p̄ria laboribz et expensis fatiget'; set p̄ Justic̃ capiant' Assie bis, ter, vel quater in anno.

Dictū est in p̄te de bribz [Assisoz [1]] & de p̄cessu eazdem: modo đnđ est de p̄tis [qui [2]] r̄minari ñent p̄ inquisic̃oes seu p̄ juratas; Quoz quedam sunt de rebz immobilibz sicut de ten̄, sive de mobilibz sicut de debitis & catall, queđ de utrisq;, quedam de t'nsgressionibz: Set p'mo de ten̄ & immobilibz aliquid est dicend; De quib3 p̄visum est br̃e cuj⁹ forma int̄ ce?a br̃ia p̄ciū illaz continet'; p̄cessus isti⁹ br̃is est tal; Primo inventis pleg̃ de p̄s Vic̃ fac̃ sum̃ p̄ bonos sum̃ tenentē, qđ sit ad ?tum diem, ad quem si non venit [3 fiat alia sumonicio ad aliū diem, & si ad sc̃dū diem non venit sum̃o' qđ sit ad [?tum [4]] diem, ad quem si non venit [3]] nec se essoniari fec̃it adjudicabit' petenti seisina p̄ defaltam, & deforc̃ remanebit in mia p̄, reservata nichilomin⁹ mia Regi p̄ qualt defalta ut p̄dc̃m est. Cum ?o Deforc̃ compūit quia p̄ ?ba br̃is non potest sciri peticio petentis, eo qđ multe & quasi infinite sunt rōnes petend, nec̃c̃e ñet ille qui petit qđ narret ?sus deforc̃, & exp'mat rōnem petic̃ois sue, & hoc p̄ ?ba ?itatem continencia sine calūpnia ?boz, nō observata illa dura consuetudine qui [cadat [5]] a sillaba [cadat [5]] a tota causa.

De r̄onib3 petendi, quales sint & esse debeant, expedit qđ aliquid sub brevitate dicat'. Multociens ñet petens jus p̄ hoc qđ antecessor suus tenuit terram petitam, & fuit inde seisitus ut de jure & de feodo; & tunc nec̃c̃e ñet petens narrare descensū pentele descendendo ad ip̄m. Contingit eciam qđ aliquis dimittit ?ram ad ?minū vite vel annoz, post quem ?miū ad ip̄m vel ad ñedes suos ?ra debet rev̄ti; vel eciam debet ad ip̄m rev̄ti post mort̄ mulieris tenentis in dotem; vel tanq'm escaeta post mort̄ tenentis sui bastardi, quia aliū non potest ñere ñedem *nisi de corpe suo legitīe* p̄creatū; vel post mortem tenentis sui felonis; in quatuor casib3 p̄dc̃is, vel post mortem alicuj⁹, debet terra remanere alii p̄ formam donac̃ois, in [hiis [6]] casib3 & sīlib3 exp'mat petens petic̃oem suam sc̃dm casum suū, & in casib3 illis & consīlib3 quib3 utend est br̃i p̄dc̃o, illo & nō alio utat': & audita [rōne [7]] petentis ñeat tenens visū terre si petat et det' dies infra quē fiat visus; Et ad diem datū post visū respondeat deforc̃, qui vocare pot̄it ad warantū p̄ auxiliū Cur̃, sicut dc̃m est in br̃i ([8]) mort̄ anteces̃; Et Justiciar̃ faciat venire Warantū sicut venire fecit p'ncipalem p̄ unā sumoū; Et si nec̃c̃e sit p̄ sc̃dam & ?ciam, ad [quē [7]] si nō venit, punit⁹ tamen p̄ qualt defalta ut p̄dc̃m est, adjudicabit' petenti seisina rei petite p̄ defaltam Waranti; Et Deforcians ñeat de ?ra Waranti ad valenc̃, & Warant⁹ sit in mia. Si Warant⁹ venit & g'tis warantizav̄it recipiet' ad responsionē & placiti defensionem sine visu ?re ñendo.

[1] Assisaz
[2] que
[3] *Rot.* 1. omits.
[4] ?ciū *Rot.* 2.
[5] cadit
[6] istis *Rot.* 1.
[7] narrac̃one
[8] de *Rot.* 1.
[9] quā

Si autem warantizare dedixerit, deducat' ꝑtitū de warantia inter eos, sc̄dm qđ dc̄m est sup' in bri (') anteceš. Si aut̄ deforc̄ excipiat cont' petentem qđ antecessor suus, cuj⁹ seisinam petit, vel aliquis in descendendo fuit bastardus, ita qđ ab ip̄o vel ꝑ [modū [2]] ip̄ius nichil potest ei descendere, audiat'; vel ostendat cartam antecessoris sui de feoffamento, vel alicuj⁹ in descendendo de quieta clamancia: et ꝑ uni⁹ ꝑtis affirmac̄oem & alt̄ius negacionem descendant ꝑtes ad legal inquisic̄oem, & ꝑ vered̄m inquisic̄ois ꝟminet' ꝑtitū; quia ꝑtita de terris in ꝑtib⁹ istis non ħent ꝟminari ꝑ duellū, neq; ꝑ magnam assiam. Eodem modo si excipiat qđ antecessor, vel aliquis in descendendo, c̄misit felonia ꝑ quod sibi non competit accio; in quo casu si ille cui hoc opponit' neget poci⁹ ħet negociū ꝟminari ꝑ recordū Justic vel inquisic̄ois p̄ie de suspensione, (3) & eciam ꝑ recordū Coronator̄ de utlagaria & abjurac̄oe. Simil̄r in petic̄oe tenementi qđ debet rev̄ti post ꝟmiū p̄fitū vel ꝑ modū donac̄ois, ꝑ affirmac̄oem uni⁹ ꝑtis & ꝑ negac̄oem alt̄ius descendat' ad inquisic̄oem p̄ie (4) ꝑ v̄d̄m ejus judicet'.

De alio articlo scil⁹ de mobilib⁹ debitis sive car̄ est dicend; sup quo ꝓvisū est b̄re de debito in forma ꝓscripta; in hoc b̄ri, sic est ꝓcedend. Primo inventis pleg̃ de ꝓs sūmoneat' debitor & reus, qđ sit coram Justic̄ ad c̄tum diem, ad quē si non venit i⁹um sūmoneat', & si ad sc̄dm diem non venit nec se essoniav̄it adjudicet' petenti debitū ꝑ defaltā, simul cū dampn̄ ꝑ discrec̄oem Justic̄ vel ꝑ inquisic̄oem p̄ie ꝑ voluntate Justic̄, & debitor remaneat in n̄ia Reg̃; reservata Regi semp m̄ia ꝑ qualt defalta. Si v̄o debitor venit nec̄ce ħt actor exp'mere petic̄oem & rōnem sue petic̄ois, vid⁹ qđ tene' ei in centū marcis quas sibi accomodavit cuj⁹ solc̄onis dies p̄fixit; vel ꝑ ꝟra vel ꝑ equo vel ꝑ aliis reb⁹ seu catall quibuscūq; sibi [vendiderit,[5]] vel ꝑ arrerag̃ reddit⁹ nō ꝓvenientib⁹ de tenementis vel de aliis cont'actib⁹; sup quib⁹ nec̄ce ħet ꝓduc̄e sectam, vel cartam obligac̄ois, vel [tall [6]] ostendere: Audita & intell̄ca petic̄oe & eciam rōne petentis respondeat [debito [7]] qui si debitū recognoscat [abjudicet' [8]] & levet' de ꝟris & car̄, &c; Si neget debitū & ꝓferat' cont' eū obligacio sua, oportet sc'ptū v̄ificari ꝑ testes nōiatos in obligac̄oe, si sint supstites, simul cū p̄ria; Et si non sint testes nōiati, vel si fuint mortui, verificet' solūmodo ꝑ p̄riam, & sc̄dm v̄d̄m p̄ie ꝓcedat' ad jud̄m. Si vero querens non ħeat obligac̄oem, set tm̄modo ꝓducat sectam vel talliam, potit ꝑs adv̄sa defendere se ei in nullo tenli, & hoc defendere ꝑ legem, scilt ꝑ ꝓpriū sac'mentū, cū xj secū jurantib⁹, vel ꝑ p̄riam ꝓut eligc̄e volit. Contingit aliquando qđ debitor confitet' qđ aliqn̄ debuit ei debitū, & allegat solūc̄oem; tunc optet ostendere quietanciam de soluc̄one, vel potit petens defendere ꝑ legem se nichil recepisse, vel eciam ꝑ p̄riam, &c. Istud b̄re de debito non concedat' de minori sūma q'm quadragint̄ solid; quia de mīori debito ꝑlitant in Com̄ sine [br̄ib⁹ [9]] & ꝑ b̄re.

De ꝟcio articlo in quo ꝓvisum est b̄re de convencione, ꝑ quod petunt' aliquando mobilia, aliquando immobilia, ꝑ vim convenc̄ois inite int̄ ꝑtes que legi derogat, in forma in [loco [10]] ꝓnotato conscripta. Processus ist⁹ br̄is talis est: Invent̄ p'mo pleg̃ de ꝓs sūmonebit' reus semel, & si nec̄ce sit sc̄do, & si ad sc̄dm sūmonic̄oem non venit nec se essoniav̄it, audiat' peticio & racio petentis & capiat' res petita, si sit tenementū, in manū ℞,

[1] de morte [2] mediū
[3] & de decapitac̄one [4] &
[5] venditis *Rot.* 1.—vend *Rot.* 2.
[6] talliam [7] debitor
[8] adjudicet' [9] brevi [10] rotulo *Rot.* 1.

But if he shall deny the Warranty, the Plea of the Warranty shall be carried on between them, after the manner above directed in the Writ of Mortdancestor. But if the Deforciant except against the Demandant, that his Ancestor whose Seisin he demandeth, or any one in the Descent, were a Bastard, so that nothing can descend from him or through him, he shall be heard; Or he may shew a Deed of Feoffment of his Ancestor, or of Quit Claim of any one in the Descent: And upon the Affirmation of the one Party and the Denial of the other, the Parties shall descend to the lawful Inquest: and by the Verdict of the Inquest shall the Plea be determined; because Pleas of Land in those Parts are not to be determined by Battle, nor by the Grand Assise. So if he should except that the Ancestor or any one in the Descent committed Felony, whereby the Action lieth not for him; in which case, if he to whom this is opposed denieth it, the matter ought rather to be determined by the Record of the Justice, or of the Inquest of the Country of the hanging and beheading, and also by the Record of the Coroner of the Outlawry and Abjuration. In like manner, on the Demand of a Tenement that ought to revert after a term past, or by the Condition of the Gift, upon the Affirmation of the one Party and the Denial of the other, they shall descend to the Inquest of the Country, and according to their Verdict shall the Judgment be. Issue.

IX. Trials in Personal Actions.

Concerning the other Article, to wit, of Moveables, Debts, and Chattels, it remaineth to speak; for which there is provided the Writ of Debt in the Form above written; in this Writ, the Proceeding shall be after this manner. First, there being found Pledges to prosecute, the Debtor and Defendant shall be summoned to be before the Justice at a certain day, at which if he come not, he shall be summoned again; and if at the second day he come not, nor essoin himself, the Debt shall be adjudged to the Plaintiff by Default, together with Damages, at the discretion of the Justice, or by the Inquest of the Country, at the will of the Justice, and the Debtor shall abide in the King's Mercy; reserving always to the King the Amercement for every Default. But if the Debtor appear, the Plaintiff must then declare his Demand, and the cause of his Demand; that is to say, that he is indebted unto him in an Hundred Marks which he lent him, the Day of Payment whereof is past; or for Land, or an Horse, or for other Goods or Chattels whatsoever sold to him; or for the Arrears of a Rent not growing out of Tenements; or upon other Contracts; whereupon he must produce his Suit, or shew the Deed of Obligation or Tally: The Demand being heard and understood, and also the Declaration of the Plaintiff, the Debtor shall answer thereto; and if he acknowledge the Debt, judgement shall be given against him, and it shall be levied of his Goods and Chattels, &c; if he deny the Debt, and his Bond be brought forth against him, the Writing must be verified by the Witnesses named in the Bond, if they be living, together with the Jury; and if there be no Witnesses named, or if they should be dead, it shall be verified by the Jury only; and according to their Verdict shall Judgement be awarded. But if the Plaintiff have not a Bond, but produce his Suit only or a Tally, the adverse Party may deny that he is indebted to him in any thing, and make his Defence by Wager of Law, that is, by his own Oath and eleven others swearing with him, or by the Country, at his election. It happeneth sometimes that the Debtor confesseth that he did once owe the Debt, and alledgeth Payment thereof; in this case he must shew an Acquittance of the Payment, or else the Plaintiff may deny, by Wager of Law, that he hath received ought, or likewise by the Country, &c. This Writ of Debt shall not be granted for a less Sum than Forty Shillings; for of a less Debt the Plea shall be in the County Court, either with Writ or without.

X. Of Covenants and mixed Actions.

CONCERNING the Third Article; in which there is provided the Writ of Covenant, whereby sometimes Moveables are demanded, and sometimes Immoveables, by force of a Covenant entered into between the Parties, which may differ from the Law, in the Form described in the Place before named. The Proceeding upon this Writ is thus: First, there being found Pledges to prosecute, the Defendant shall be summoned once, and if it be necessary a second time; and if he come not upon the second Summons, nor essoin himself, the Demand and Declaration of the Plaintiff shall be heard; and the thing demanded shall be taken into the King's hand, if it be a Tene-

ment; and if it be a Chattel, that or its Value shall be taken into the King's hand, and another day shall be given him; And if within fifteen days he shall replevy the thing so taken into the King's hand, and appear at the day given him, he shall be received to answer and defend; but if not, the Plaintiff's Demand shall be awarded to him by Default, together with Damages taxed, as is said before in the Writ of Debt. And he shall remain in the King's Mercy: Saving always to the King the Amercement for the Default as aforesaid. The Plaintiff's Complaint being heard, and the Declaration of his Demand, the Defendant shall make answer; and upon the Affirmation of the one Party and the Denial of the other, they shall proceed to the Inquest, and the Business shall be determined by the Inquest of the Country. And it is to be known that sometimes a Freehold is demanded by the Writ of Covenant; as where any man letteth Land to another to farm, rendering therefore a certain Rent, under a Condition added thereto in the writing of Covenant, that if he be not satisfied for the Rent, it shall be lawful for him to enter into the Land that he hath demised, and to hold the same; If he to whom the Land hath been demised do not pay the Rent, and he who hath demised it hath not the means of entering into the Land demised, according to the tenor of his Writing, by reason of the Power of his Adversary, in this Case he ought to recover the Tenement by the Writ of Covenant, together with Damages. Where sometimes a Covenant is made between Parties, that the one shall infeoff the other of a certain Tenement, and shall deliver Seisin unto him at a certain day, if afterwards he should transfer that Tenement by Feoffment to a third Person, since he cannot annul that Feoffment by virtue of the first Contract that was not carried into effect, in that case the injured Party cannot have other Redress by Writ of Covenant, but this only, that he have a Satisfaction in Money for his Damages; and thus in one case there lieth an Action to demand a Tenement by Writ of Covenant, and in another case Money or Damages, or the Tenement. And for that Contracts in Covenants are infinite, it would be difficult to make mention of each in particular; but according to the Nature of each Covenant, by the Affirmation of the one Party and the Denial of the other, it will either come to be tried by Inquest upon the Fact, or it will come to an Acknowledgment of the Writings brought into Judgement, and according to that Acknowledgment Judgement will be awarded; or the Writings will be denied, and then it will come to an Inquiry into the making of the Writings, by the Witnesses named in the Writings, if there be such, together with the Jury: And if there should be no Witnesses named, or they should be dead, then by the Jury only.

XI. Of personal Trespasses.

CONCERNING the Fourth Article, to wit, personal Trespasses: Whereof it is provided, That all Trespasses wherein the Damages do not exceed Forty Shillings shall be pleaded before the Sheriff in the County Court without Writ, by Gages and Pledges: Trespasses that exceed the Sum of Forty Shillings, shall be pleaded before the Justice of Wales, after this manner: The Plaintiff, before he be heard by the Justice, shall swear that his Demand exceedeth the Sum of Forty Shillings; and this being done, and Pledges to prosecute found, the Justice shall command the Sheriff or Bailiff of the place, that he cause to come before him, within a short term, him of whom Complaint is made; and the Plaintiff's Complaint being heard, the Defendant shall make his Answer: And since in a Plea of Trespass the Defendant can hardly do otherwise than make his Defence by the Country, the Justice, by Consent of Parties, shall make Inquiry of the Truth by lawful Inquest; and that Inquiry made, if he find the Defendant guilty, he shall punish him by Imprisonment, or by Ransom, or by Amercement, and Payment of Damages to the injured Party, according to the Quality and Quantity of the Offence: So that this Punishment be for example to others, and make them fear to offend: and whereas mention is made above of the Consent of Parties, it may happen that the Defendant will refuse the Trial by the Country; in which case, if the Plaintiff offer to verify the Trespass done unto him by the Country, and the Defendant refuse the same, he shall be taken for convict, and shall be punished as though he were convict by the Country.

& si fuit catallū illud vel ejus valor capiat[r] in manū R̄, & det[r] alius dies; & si infra xv. dies replegiavit rem sic in manū R̄ captam, & ad diem sibi datū venit, admittat[r] ad responsionē & defensionē; sin autē ad-judicet[r] petenti sua peticio p defaltam simul cū dampnis taxatis sicut sup[a] dicit[r] in bri de debitō, & remaneat in mia Reg̃ salva semp R̄ mia p defalta ut p̄dicit[r]. Audita querimonia [querentis [1]] & rōne sue peticōis respondeat defendens; & p affirmacionē uni⁹ ptis & negacionē alt̄ius ꝓcedi pot̄it ad inquisicōē & p inquisicōē p̄ie pot̄it negociū t̄minari. Et sciend est qd p br̄e de convencōe aliquando petit[r] lib̄um tenementū; ut in casu quando aliquis dimittit t̄ram alt̄i reddendo inde quandam c̄tā firmā, appōita condicione in scripto convencionis qd nisi ei satisfc̄m fuit de firma, liceat ei t̄ram quam dimisit ingredi & tenere; si ille cui t̄ra illa fuit dimissa non satisfec̄it de firma, & ille qui dimisit non h̄et potestatem, sc̄dm tenorem scripti sui, ingrediendi t̄ram quam dimisit, ꝑp̄ potenciam sui adv̄sarii, in hoc casu p br̄e de convenc̄oe recupare debet tenementū simul cum dampnis. Aliquando cū conveniat int̄ aliquos qd un⁹ feoffabit aliū de aliquo tenemento, et ad c̄tum diem ei seisinā faciet, si postmodū t[n]stulerit illud tenementū in t̄ciam psonam ip̄m feofando, cū non pot̄it illud feoffamentū p priorem con-t[a]ctū ad effectū non ꝓductū infirmari, non pot̄it in ista casu [2] cui fit injuria p br̄e de convencione subveniri, nisi in hoc tm̄ ut [satisfiat [3]] ei de dampn̄ in pecunia; & sic in casu conpetit accio petendi tenementū p br̄e de convenc̄oe, & in casu pecūiam seu dampn̄ sive tenementū. Et quia infiniti sunt cont[a]ctus convencionū difficile esset face mencōem de quoꝝ in speciali; set sc̄dm nat'am cujuslibet convencionis, p affirmacōem uni⁹ ptis & negacionem alt̄ius, aut [ꝓvenit[r] [4]] ad inquisicōem faciend sup fc̄o negotii, aut [ꝓvēit[r] [4]] ad cognic̄oem sc̄ptoꝝ in judicio platoꝝ, & sc̄dm illam cognic̄oem erit judicand, aut negabunt[r] scripta & tunc ꝓvēiet[r] ad inquirend de confec̄oe sc̄ptoꝝ p testes in scriptis nōiatos, si fuint, simul cū patria; Quod si testes non fuint nōiati, vel eciam mortui, tunc solūmodo p patriā.

De Quarto articlo, videlt, de t[n]sgressionibꝫ psonalibꝫ; de quibꝫ ꝓvisū est qd oīes t[n]sgressiones unde dampna non excedunt xl s. placiten.t[r] coram Vic̄ in Com̄ sine br̄i p vad & pleg̃: T[n]sgressiones que excedunt sūmam xl. s. p̄tent[r] coram Justic̄ Wallie sub hac forma: Qd anteq[a]m Justic̄ eū audiat juret querens qd accio sua [excedat sūmā [5]] xl. s. & hoc fc̄o & pleg̃ invenit de ps̄ p̄cipiat Justic̄ Vic̄ vel Ballio loci qd in brevi t̄mio fac̄ venire coram eo eū de quo fit querimonia; & audita querimonia actoris respondeat reus: & cū vix in p̄tito t[n]sgressionis evadere pot̄it reus quin defendat se p patriam, de consensu parciū inquirat v̄itatem Justic̄ p bonam patriam; et inquisita v̄itate si invenit reum culpabilem, castiget eū p prisonam, vel p redempc̄oem, vel p m̄iam & p dampna leso restituenda, sc̄dm qualitatem & q[n]titatem delicti: Ita qd castigacio illa sit aliis in exemplū, et timorē p̄beat delinquendi: et quia d̄cm est sup[a] de consensu parciū, contingᵉ [pot̄at [6]] qd reus refutabit inquisicōem p̄ie, in quo casu si actor t[n]sgressionē sibi fc̄am offerat v̄ificare p patriam, & reus patriam refut̄tait, h̄eat[r] p convicto & puniat[r] sicut si convict⁹ esset p p̄iam.

[1] petentis *Rot.* 1.
[2] ei
[3] satisfaciat *Rot.* 1.
[4] pveniet[r]
[5] excedit valorem
[6] pot̄it

Et quia mulieres non extit̃ant dotate hactenꝰ in Wall Rex concedit qđ dotentr. Duplex est dos mulieris, una est assignacio ꝟcie ptis tociꝰ ꝟre que fuit viri sui in vita sua, sup quo fiat brē de rōnabili dote, alibi in suo loco cū cet̃is brīb; Wall expssum. Processus istiꝰ brīs est talis: Inventis pleg̃ de ps̃ sumoneatr deforcians qđ sit ad ꝛtum diem, ad quem si non venit ita sūmoneatr, ad quem diem si non venit adjudicetr mulieri dos sua, scit ꝟcia ps &c. simul cū dampn̄ &c. Si vero defendens venit admittatr ad responsionem sine visu ꝟre hendo, & formata petic̃oe mulieris dicatr tenenti qđ respondeat si sciat aliquid dic̃e quare ipa dotem here non debeat, qui si nichil sciat dic̃e recupet mulier ut supa. Si forte obiciat qđ non debeat dotē here, eo qđ nunqm fuit tali q̃m ipa vocat virū legitio mr̃imonio copulata, et tunc mandabitr Epo qđ sup hoc inquirat ꝟitatem: Et inquisita ꝟitate ꝛtificet Justic̃ Wall. Et sc̃dm ꝛtificac̃oem Epi ꝓcedatr ad judm in hac forma: Si Epc̃ ꝛtificet qđ non fuit ux̃ lima ꝓclusa erit ei via hendi dotem; Si ꝛtificet qđ fuit ux̃ lima sūmoneatr tenens qđ sit ad ꝛtum diem audituř judm suū; ad quem diem si non venit ita sūmor qđ sit ad aliū diem, ad quem diem, sive venit sive non, nullo essonio allocato, recupabit mulier dotem suam & dampna, & tenens in mia. Salva ℞ semp mia p defalt. Si vero obiciat qđ non debeat dotem here, eo qđ vir suus die quo eam desponsavit nec unqm postea tenuit tenementū unde petit dotem, in feodo, ita ut eam inde dotare potuit hꝰi rei ꝟitas p pr̃iam solūmodo est inquirenda & p ved̃m pr̃ie ad judm erit ꝓcedendū. Si obiciatr ei qđ nō debet dotem here, eo qđ vir suus cōmisit feloniam, tunc si constit̃it de felonia dotem non recupabit. Similꝰ si obiciatr ei qđ vir suus amisit ꝟram de qua petit dotem p judm ut illam in [quam 1] jus non huit, hoc convicto p recordū Justic̃, si dedicatr, coram quib; ꝟra illa fuit amissa, vel p pr̃iam si in Coī vel mīori Cuř fuit amissa, ꝓclusa erit sibi via de dote henda. Alia dos est quando filius dotat uxem suam de voluntate pr̃is sui; forma cujꝰ br̃is inꝰ ceꝛa inveniet; cujꝰ ꝓcessus talis est: Sūmor deforcians sicut in alio brevi de dote [si vero 2] & eodem modo puniet contumacia sicut in alio br̃i de dote; si vero ad diem sibi datū venit tunc formata petic̃oe mulieris respondeat, & (3) dedicatr dotacio fc̃a in dc̃a forma, & consensus dotac̃ois, & convinci potit p pr̃iam qđ vir dotavit eam ad hostiū eccl̃ie de tenemento pr̃is sui, et qđ patꝰ, psonalit̃ vel p sp̃alem nunciū ad hoc missum, consensit illi dotacioni, recupabit mulier (4) & dampna. Sciend eciam qđ in utroq; bri potest tenens vocare ad warantū p auxiliū Cuř, & ꝓcedetr in ptio warantie sicut ꝓd̃c̃m est; set est differencia in casu isto de dote & in casu supius p ꝓcipe, ubi ꝟminatr modus ꝓcedend in warantia; quia ibi in illo casu petens semp recupat rem petitam & tenens de ꝟra Waranti ad valenciam: In casu de dote alio modo est, [quia 4] tenens tenebit in pace, & mulier hebit de ꝟra Waranti ad valenciam dotis petite, dum tamen tenens heat de ꝟra viri sui ad valenciam unde hoc fieri possit, alias vero non. De modo dotis alit̃ assignande nichil ad presens.

Quia alit̃ usitatū est in Wall qm in Angl quoad successionē hereditatis, eo qđ hedit̃as ptibil est inꝰ hedes masculos, & a tempe cujꝰ nō extitit memoria ptibil

[1] qua [2] *Rot.* 1. & 2. omit.

[3] si [4] dotē [5] qđ *Rot.* 1.—q, *Rot.* 2.

AND whereas heretofore Women have not been endowed in Wales, the King granteth that they shall be endowed. The Dower of a Woman is two fold: One is an Assignment of the Third Part of the whole Land that belonged to her Husband which were his during Coverture, whereof there lieth the Writ of reasonable Dower, elsewhere described in its place, with the other Writs for Wales. The Proceeding in this Writ is thus: There being found Pledges to prosecute, the Deforciant shall be summoned to appear at a certain day, at which if he come not, he shall be summoned again; at which day, if he come not, the Woman shall have her Dower awarded unto her; that is to say, the Third Part, &c. together with Damages, &c. But if the Defendant appear, he shall be received to answer, without having a View of the Land; and the Woman's Demand being made, the Tenant shall be directed to answer, if he can alledge any thing wherefore she ought not to have her Dower; and if he can alledge nothing, the Woman shall recover as above. If he should object that she ought not to have her Dower, because she was never espoused in lawful Matrimony to him whom she calleth her Husband, then the Bishop shall be charged to make Inquiry of the Truth thereof: And that Inquiry made, he shall certify it to the Justice of Wales. And according to the Bishop's Certificate, shall the Proceeding to Judgement be, after this manner: If the Bishop certify that she was not the lawful Wife, she shall be foreclosed of her Action of Dower; if he certify that she was the lawful Wife, the Tenant shall be summoned to appear at a certain day to hear his Judgement; at which day, if he come not, he shall be summoned unto another day; at which day whether he come or not, there being no Essoin allowed, the Woman shall recover her Dower and Damages; and the Tenant in Mercy. Saving always to the King the Amercement for Default. But if he object that she ought not to have her Dower, because her Husband did not hold the Tenement whereof she demandeth Dower, either on the day when he married her or at any time after, in Fee, so that he could thereof have endowed her; the Truth of this fact is to be inquired of by the Country only and according to their Verdict shall the Judgement be awarded. If it be objected unto her that she ought not to have her Dower, because her Husband committed Felony, then if the Felony be proved, she shall not recover Dower. So if it be objected unto her that her Husband lost the Land whereof she demandeth Dower by Judgement, as that whereunto he had not Right; if this be denied, and be proved by the Record of the Justices before whom that Land was lost, or by the Country if it were lost in the County or inferior Court, she shall be precluded from having her Action of Dower. The other Dower is when a Son endoweth his Wife by the Assent of his Father; the Form of the Writ whereof is to be found among the rest; wherein the Proceeding is after this manner: The Deforciant shall be summoned as in the other Writ of Dower, and in like manner his Contumacy shall be punished, as in the other Writ of Dower; but if he come at the day given him, then the Woman's Demand being made, he shall answer thereto; and if the Endowment made, in the said Form and the Consent to the Dower be denied, and it be established by the Country that the Husband did endow her at the Church door of his Father's Tenement, and that the Father, in his own Person or by a special Messenger therefore sent, did consent to that Dower, the Woman shall recover her Dower and Damages. It is also to be known that in either Writ the Tenant may vouch to Warranty, with the Aid of the Court, and the Proceeding in the Plea of Warranty shall be as is before directed; but there is a Difference between this Case of Dower and that above by Præcipe, where the Mode of Proceeding endeth in the Warranty; because there the Demandant in that case always recovereth the thing demanded, and the Tenant, out of the Land of the Warrantor, to the Value: In the Case of Dower it is otherwise, because the Tenant will keep his Land in Peace, and the Woman will have to the Value of her Dower demanded, out of the Land of the Warrantor; provided that the Tenant hath of the Land of her Husband to the Value whereby this may be done, but if otherwise, not. Concerning other Assignment of Dower, there is nothing said for the present.

XII. Of Dower.

WHEREAS the Custom is otherwise in Wales than in England, concerning Succession to an Inheritance, inasmuch as the Inheritance is partible among the Heirs Male, and from Time whereof the Memory of Man is not to the contrary

XIII.

Inheritance by the Law of Wales confirmed; except as to Bastards and Females.

hath been partible, Our Lord the King will not have that Custom abrogated; but willeth that Inheritances shall remain partible among like Heirs, as it was wont to be, and Partition of the same Inheritance shall be made as it was wont to be made; with this Exception, that Bastards from henceforth shall not inherit, and also shall not have Portions with the lawful Heirs, nor without the lawful Heirs. And if it happen that any Inheritance should hereafter, upon the Failure of Heir Male, descend unto Females, the lawful Heirs of their Ancestor last seised thereof, We will of our especial Grace that the same Women shall have their Portions thereof, to be assigned them in our Court, although this be contrary to the Custom of Wales before used.

XIV. Trials of the Realty to be by Jury; in Personals, by the Law of Wales.

AND Whereas the People of Wales have besought us that We would grant unto them, That concerning their Possessions immoveable, as Lands and Tenements, the Truth may be tried by good and lawful Men of the Neighbourhood, chosen by Consent of Parties; and concerning things moveable, as of Contracts, Debts, Sureties, Covenants, Trespasses, Chattels, and all other moveables of the same sort, they may use the Welsh Law, whereto they have been accustomed; which was this, that if a Man complain of another upon Contracts or things, done in such a place that the Plaintiff's Case may be proved by those who saw and heard it, when the Plaintiff shall establish his Case by those Witnesses, whose Testimony cannot be disproved, then he ought to recover the thing in Demand, and the adverse Party be condemned; and that in other Cases which cannot be proved by Persons who saw and heard, the Defendant should be put to his Purgation, sometimes with a greater Number, sometimes with less, according to the Quality and Quantity of the Matter or Deed: And that in Theft, if one be taken with the Mainour, he shall not be admitted to Purgation, but be holden for convict: We, for the common Peace and Quiet of our aforesaid People of our Land of Wales, do grant the Premises unto them: Yet so that they hold not place in Thefts, Larcenies, Burnings, Murders, Manslaughters, and manifest and notorious Robberies, nor do by any means extend unto these; wherein We will that they shall use the Laws of England, as is before declared.

In Crimes the Law of England to take place.

And therefore We command you that from henceforth you do stedfastly observe the Premises in all things. So notwithstanding that whensoever and wheresoever and as often as it shall be our Pleasure, we may declare, interpret, enlarge, or diminish the aforesaid Statutes, and the several Parts of them, according to our mere Will, and as to us shall seem expedient for the Security of Us and of our Land aforesaid.

In Witness whereof our Seal hath been affixed to these Presents. Given at Rothelan on Sunday in Midlent, in the Twelfth Year of our Reign.

extitit, Dñs Rex non vult qđ consuetudo illa abrogetur set qđ hereditates remaneant ptibiles int consimiles heredes sicut esse consuevit, & fiat [porcio [1]] hereditatis illi sicut fieri consuevit; hoc excepto, qđ bastardi nō heant decetō hereditates, & eciam qđ non heant decetō ppartes cū legitis nec sine limis. Et si forte hereditas aliqua [ex nunc [2]] p defectu heredis masculi descendat ad limas mulieres heredes ultimi antecessoris sui, inde seisiti, volum de gra nra spali qđ eedem mulieres legitime heant ppartes suas inde sibi in Cur nra assignandas, licet hoc sit cont consuetudinē Walensicam antea usitatā.

Et quia Walenses nob supplicarunt ut eis concedam qđ de rebs suis immobilibs, veluti de tris & ten, inquirat vitas p bonos & legales hoies de visneto, de consensu pcium electos, & de mobilibs sicut de contctibs, debitis, fidejussionibs, cōvencionibs, tnsgressionibs, catall & oñibs aliis hujusmodi mobilibs, uti possunt lege Walensica, qua uti consuevunt; que talis erat, qđ si aliquis conquereret de alio de contctibs vel fcis in tali loco qđ posset intencio querentis ppari p videntes & audientes, cū querens p hujusmodi testes quoz testimoniū reppari nō possit pbavit intencionem suam, recuparet rem petitam & condempnaret pars adsa; & in aliis, que non possent ppari p videntes & audientes, esset pars defendens ad purgacōem suam, aliquando cū plibs aliquando cū pauciorib, scđm qualitatem & qntitatem rei vel fci. Et in furto, si furtū [inveniat [3]] in manu, se pgare non posset set p victo habet: Nos p comuni pace & quiete pđci ppli nostri tre nre Wallie pmissa eis concedim: Ita tamen qđ ea in furtis latciniis Incendiis murdris homicidiis & roberiis māifestis & notoriis locū nō heant, nec ad ea aliquaten se extendant; in quibs volum qđ utat legibs Angł put supi est exssum.

Et ideo vob mandam qđ pmissa decetō in oñibs firmit observetis; Ita tamen qđ quocienscumq, & quandocumq, & ubicūq, nob placuit possim pđca statuta, & eoz partes singłas declarare, intpretari, addere, sive diminue, p nre libito voluntatis, & put securitati nre & tre nre pđce viderim expedire.

In cuj rei testimoniū psentibs sigillū nrm est appensum. Dat apud Rothelanū die dñica in media Quadragesime, Anno regni nri duodecimo.

[1] particio [2] extūc *Rot.* 1.

[3] { inveneret *Rot.* 1. / inveniret *Rot.* 2.

Annexed to the Roll or Skin of Parchment on which the foregoing Statute is entered at the Tower, is a Writ of the 28th of Edward III. in the following Words:

Edwardus Dei gra Rex Angł & Franc & Dns Hibn, Thes & Baronibs suis de Scacio, Salm. Quibusdam ctis de causis vob mandam qđ Tnscriptū cujusdam Statuti apud Rudland in Wallia, anno regni Regis Edwardi avi nri duodecimo editi, penes vos in Scacio pđco residentis ut dicit, nob in Cancellariam nram sub sigillo ejusdem Scacii distincte & apte sine dilone mittatis & hoc bre. T. me ipo apud Westm xviij. die Maij, anno r. n. Angł vicesimo octavo; r. vero ñ Franc quinto decimo. Clapł.

On the said Writ are the following Indorsements:

David de Woff

Irr tmio Pasch anno xxviij°. R° x°.

Tnscriptum statuti de quo fit mencio in hoc bri patet in rotlo eidem bri consuto put inscript in libro de quibusdā Statutis in Scacio residente.

Pˈvisiones fˈcˈe in Scacio.*

PROVISIONS MADE IN THE EXCHEQUER.

Ex Rot. Claus. 12 E. I. m. 7. d.

R. Thes & Baronibꝫ suis de Scacio ac Cancellar suis saltm. Ut indempnitati nre & ppii Regni nri in aliquibꝫ, que nos & ppīm pdcm in scacio nro contingunt, pspiciat'; Volum⁹ & pvidim⁹ qd non scribant' decet⁹ corpa Comitatuū in rotulis [annalibꝫ,[1]] sꝫ scribant' in quodam rotulo ([2]) p se, & legant' singulis annis sup Compotū Vicecom̄, singula videlt, de singulis Comitatibꝫ, ut sciat' si quid inde nob accidere possit ex quacumq; causa. Remanencia vero firmaꝝ eoꝝdē Com̄ post ꝓras datas, scribant' in rotulis annalibꝫ & onent' inde Vicecomites: In quibꝫ quidem remanentibꝫ, allocent' libacões & elemosine constitute, & alie allocacões si quas Vic habuerint de exitibꝫ Ballie sue p bria nra. Et quia ad suggestionē divsoꝝ ballivoꝝ fiunt bria nra de divsis allocacoibꝫ, in g've dampnū nrm, volum⁹ & pvidim⁹ qd de huj⁹modi allocacoibꝫ sic faciend de cet⁹o fiat visus in scacio, & huj⁹modi visu fideli⁹ fco, iidem Thes & Barones ctificēt Cancellar nrm de debitis allocacoibꝫ faciendis, & fiant bria de Allocacoibꝫ juxta ctificacoem pdcam. Scribant' eciam in eisdem rotulis annalibꝫ firme Vicecom̄, pfic Com̄, firme serjantiaꝝ & assartoꝝ, firme Civitatum, Burgoꝝ, Villaꝝ, & alie, firme de quibꝫ respons est annuatim ad scacm pdcm. Item scribant' in eisdem omnia debita at⁹minata, omnia grossa debita, de quibꝫ spes est, qd aliquid inde reddi possit; Item omnia alia debita, que videntur esse clara. Cum vero pventū fuerit in Compot ad titulū de novis oblatis, nichil scribat' in rotulo annali, nisi ea de quibꝫ ([3]) Vic respondent, & debita inventa in originalibꝫ que vident' esse clara. De firmis vero mortuis & debitis de quibꝫ non est spes, fiat un⁹ rotulus & [intitulent'[4]] Comitat⁹ & legat' singlis annis sup Compotū Vic; & debita de quibꝫ Vic respondent scribant' in rotulo annali, & ibi aquietent'. Item volum⁹ & pvidim⁹ qd proclamet' in singulis Comitatibꝫ, qd omnes illi qui ħent tallias de scacio de debitis suis vel antecessoꝝ suoꝝ ibidem hacten⁹ solutis, nondū allocatas, que adhuc veniūt in summonicoem scacii libent hui⁹modi tallias Vic suis allocand ad scacm sup Compot suos; & pdci Vic faciant illis a quibꝫ tallias sic recepint, scripturas suas testificantes recepcoem talliaꝝ illaꝝ, summam & occonem debitoꝝ; Int⁹sint eciam recepcoi talliaꝝ pdcaꝝ duo milites fideles ad hoc deputandi, int⁹ quos & pfatos Vic fiant cirog'pha de huj⁹modi recepcõe, sigill eoꝝ alt⁹natim munita. Prefati vero Milites ad hoc deputandi, mittant ad Scacm ad t⁹minū statuendū ptes suas cirog'phoꝝ pdcoꝝ in forma pdca, ut p visum & testimoniū

[1] singlis *Lib. Scacc. X.*
[2] annali *Lib. Scacc. X.*
[3] spes est, et *Lib. Scacc. X.*
[4] irrotulent' *Lib. Scacc. X.*

THE King to his Treasurer and Barons of the Exchequer, ([1]) Greeting. To the Intent that Provision may be had for the Indempnity of Us and our People, in certain things touching Us and our People aforesaid, in our said Court of Exchequer; We will and provide, That from henceforth the Bodies of Shires shall not be written in several Rolls, but shall be written in a certain annual Roll by themselves, and shall be read every Year upon the Accompts of Sheriffs; that is to wit, [of several Counties,[2]] that it may be known if aught may accrue unto Us ([3]) by any mean. The Remanents of the Ferms of the same Shires [shall be written post terras datas[4]] in the annual Rolls, and the Sheriffs shall be charged therewith: in which Remanents the Liveries and Alms assigned shall be allowed, and other Allowances, if Sheriffs have had any, of the Issues of their Bailiwicks by our Writs. And because [of the Suggestion of our Bailiffs,[5]] our Writs are made of divers Allowances, unto our grievous Damage, We will and provide, That of such manner Allowances so to be made, from henceforth View shall be made in our Exchequer; and the same View being faithfully made, the same Treasurer and Barons shall certify our Chancellor of the due Allowances so to be made, and that Writs of Allowances shall be made according to the same Certificate. Moreover, there shall be written in the same annual Rolls the Ferms of the Sheriffs, the Profits of Counties, the Ferms of Serjeanties and Asserts, the Ferms of Cities, Boroughs, Towns, and other Ferms, whereof there is Answer made yearly in the Exchequer. And in them also shall be written all Debts determined, all gross Debts, whereof there is hope that somewhat shall be paid; and all other Debts that seem to be clear: But when it is come unto accompt to the Title of New Duties, nothing shall be written in the annual Roll, but those Debts whereof there is hope of Payment, and whereof the Sheriff is answerable, and Debts found in the Originals ([6]). Of dead Ferms, and Debts desperate, whereof there is no Hope, one Roll shall be made, and [shall be intituled Comitatus, and read[7]] every Year upon the Accompt of Sheriffs; and the Debts whereof the Sheriffs are answerable shall be written in the annual Roll, and there shall be acquitted. Moreover, We will and provide, That it shall be proclaimed in every County, that all they that have Tallies of the Exchequer, for the Debts of themselves or their Ancestors, hitherto paid usually there, and not yet allowed, which yet do come in the Summons of the Exchequer, they do deliver to the Sheriffs such Tallies, to be allowed at the Exchequer upon their Accompts; and the Sheriffs shall make to them of whom they shall so receive Tallies their Writings, witnessing the Receipt of those Tallies, ([8]) and Occasion of the Debts: Two faithful Knights deputed thereunto, shall be present at the Receipt of the Tallies aforesaid, between whom and the said Sheriffs Indentures shall be made of such Receipts, [with[9]] the Seals of them both interchangeably. The foresaid Knights, deputed thereunto, shall send the Parts of their Indentures, at the Term appointed, unto

How the Rolls shall be kept for each Shire.

Allowances and Amount of Farms and Debts.

A Roll of desperate Debts.

Tallies for Debts.

Indentures thereof.

[1] *and to his Chamberlains,*
[2] *each of its respective County*
[3] *therefrom*
[4] *after the Grants of the Lands, shall be written*
[5] *at the suggestion of divers Bailiffs*
[6] that seem clear
[7] *the Counties shall be enrolled in it, and it shall be read*
[8] *the Sum,*
[9] *confirmed by*

* This Title is from the Margin of the Close Roll. This Statute has been given in former Printed Copies as of the Tenth Year of Edward I, with the Title of 'Statutum Novum de Scaccario aliter dictum Statutum de Rotelanda. A New Statute of the Exchequer called the Statute of Rutland.'

the Exchequer in Form aforesaid, to the end, that by the View and Witness of them, the said Tallies so received by the Sheriffs, may be shewed and allowed upon their Accompts. Moreover it shall be proclaimed, That except those that have such Tallies do deliver them to the Sheriffs and Knights, as afore is said, that then they shall be distrained for the whole Debt, and

Having Tallies, and not delivering them.

that the foresaid Tallies shall be reputed for unpaid.

Commissions to enquire of the King's Debts.

Moreover (1) the Debts which yet [are to come 2] in the Summons of the Exchequer, whereof the Debtors do proffer Tallies against divers Sheriffs, shall be defalked and acquitted; [Moreover we provide,3] That certain Persons assigned thereunto on our Behalf, shall be sent into every Shire, which shall have full Power to enquire of such manner of Debts; and also to call afore them [solemnly, as well the Sheriffs, as their Heirs and Assigns, and 4] the Tenants of their Lands, in case they be dead that have received the Debts; and also, if need be, to proceed to the taking of [such manner of Inquests,5] whether the Parties, against whom the foresaid Tallies were shewed, do come or not; so that the Sheriff do return a reasonable Summons made to them therefore; and so the Truth being inquired and discussed in Presence of the Parties, if they will be there, the Inquisitors shall make Rolls [of them that shall be convict afore them; so that the foresaid Debts being confessed and inrolled,6] the Tallies of the same shall be forthwith broken. And the Sheriffs shall have in their Custody the Transcripts of the same Rolls, under the Seals of the Inquisitors; and shall surcease in making Distresses for the Debts contained in the same, until they have otherwise in Commandment from Us therefore. And the foresaid Inquisitors shall send unto the Exchequer the foresaid Rolls under their Seals, that it may be examined there, by a Search to be made therefore, what Debts be paid in the Whole, and what are paid in Part, [and what Debts there be, whereof the Debtors be not acquitted,7] according as shall be convenient to be done.

Tallies to Sheriffs.

Moreover We will and provide, That the Chamberlains from henceforth shall not make to the Sheriffs, [or any of their Bailiffs,8] Tallies [of dividendis,9] unless they first receive of them [Writings containing the particular Sums of the Actions of Debts,10] and the Names of them that paid them, [unto 11] the which Particulars [he 12] [may part the Names of such manner dividendis,13] which being so received under their Seals, it shall not be lawful to [number 14] them into other Particulars.

Inquiry as to Debtors not found, &c.

Moreover We provide, That all Debts, whereunto the Sheriffs make Return, that the Debtors have nothing in their Bailiwicks, ne had not at such Time as they were charged with the same Debts, or that the Debtors be not found, that the same Debts shall be estreated (15) in Rolls, and the same Rolls to be delivered unto faithful and circumspect Men, which shall make Inquiry thereof after such Form as shall be provided by the Treasurer and Barons.

No Suit shall be prosecuted in the Exchequer, unless it concern the King, or his Officers there.

[But for so much as certain Pleas were 16] heretofore holden in the Exchequer, which did not concern Us nor our Ministers of the Exchequer, [whereby 17] as well our Pleas, as the Causes of our People, are unduly prorogued and letted; We will and ordain, That (18) no Plea shall be holden or pleaded in the Exchequer aforesaid, unless it do specially concern Us and our Ministers aforesaid. And therefore We command, That Ye cause the Premises to be distinctly and openly read afore you, and to inroll it, causing the same to be straitly observed in our Court of Exchequer aforesaid. In Witness of which, &c. [Yeven at Rutland, the four and twentieth Day of the Month of May, in the tenth Year of our Reign.19]

1 that 2 come 3 We provide
4 *as well the Payers as the Sheriffs, their Heirs and Assigns, or*
5 Inquests
6 *of all Debts proved or confessed before them: and the said Debts being inrolled,*
7 *and what not; and the aforesaid Examination being made, the Sheriffs shall be charged and the Debtors acquitted,*
8 *or any other Bailiffs whatever* 9 *to be divided*
10 particulars containing the Sums *and Occasions* of the Debts
11 into 12 *they*
13 would have such Dividends parted 14 *change*
15 *and written* 16 *And whereas by certain Pleas*
17 Omit this Word. 18 *henceforth*
19 *Witness the King at Rothlan, the 23d day of March in the 12th Year of our Reign.*

eoꝝdem, dče tallie ꝑ Vič sic recepte exhibeant sup compotos suos & allocent[r]. Proclamet insup, qđ nisi illi qui hent hujꝰmodi tallias, libent eis Vicecom. & militibꝫ ut ꝑdčm est, extunc distringent ꝑ toto debito, & qđ tallie ꝑdče ꝑ non solutis reputab[ntur]. Ita ut debita que adhuc veniũt in sũmonič̃oem sc[ci] unde debitores ꝓferunt tallias cont[a] divꝝsos vicecom̃ depurent[r] & aquietent[r], ꝓvidimus qđ aliqui ad hoc assignandi ex ꝑte nr̃a mittant[r] in singlis Comitatibꝫ qui habeant plenam potestatem inquirendi de eisdē debitis, & eciam vocandi coram eis tam solventes q[a]m Vicecomites, heredes, assignatos, aut tenentes ꝑras eoꝝ, si iꝑi mortui fuerint qui hujꝰmodi debita receperint; & insup ꝓcedendi ad inquisič̃oem capiendam si necesse fuit, sive partes cont[a] quas tallie ꝑdče fuerint ostense venint, sive non, testificata tamen pꝰus ꝑ Vič sũmonič̃oe eis rōnabiliꝰ inde fča; & inquisita & discussa in ꝑsencia pciū, si inꝑesse voluerint, sup hiis veritate, faciant dči inquisitores rotulos de omnibꝫ debitis coram eis convictis vel confessis & irrotulatis debitis ꝑdčis, statim frangant[r] tallie eoꝝdem. Vicecomites vero ħeant penes se sub sigiłł inquisitoꝝ t[a]nsc[i]pta rotuloꝝ ꝑdčoꝝ; & supsedeant dist[i]cč̃oi faciende ꝑ debitis in eisdem contentis, don[e] aliud inde a nob̃ ħuerint in mandatis. Prefati quidem inquisitores mittant ad sc[a]cm sub sigiłł suis rotulos suos ꝑdčos, ut ibi ꝑ scrutiniū inde faciendū examinet[r] que debita sunt in toto vel in ꝑte soluta, & que non, & fča examinač̃oe ꝑdča onerent[r] Vicecom̃ & aquietent[r] debitores, scđm qđ ꝑ eandē fuit faciend. Itē volumꝰ & ꝓvidimꝰ qđ Camarii non faciant de ceꝛo Vicecom̃ seu aliis quibꝫcumq, ballis tallias dividendas, nisi receptis priꝰ ab eis particulis, summas & occ[a]oes debitoꝝ & nōia ea solvenciū continentibꝫ, in quas quidem ꝑticłas velint hujꝰmodi dividendas partiri, quibꝫ sub sigiłł eoꝝ receptis non licet eas in alias ꝑticulas aliq[a]tenꝰ inmutare. Providimꝰ insup qđ debita omnia ad que Vič respondent, qđ debitores nichil ħent in ballis suis, nec ħuerunt tempe q[a] oñati fuerunt de eisdem debitis, vel qđ non sunt inventi, ext[a]hant[r] & scribant[r] in rotul & t[a]dant[r] rotuli illi viris fidelibꝫ & circumspectis, qui inde faciant inquisič̃oem in forma ꝑ Theš & Barones ꝓvidenda. Et quia ꝑ quedam placita in sc[a]cio nr̃o hačtenꝰ tenta, que nos seu ministros nr̃os ejꝰdem sc[a]cii non contingunt, nr̃a (1) & populi nr̃i negocia cōmunia indebite ꝓgant[r] & impediunt[r]; Volumꝰ & ordinamꝰ qđ nullum placitum deceꝛo teneat[r] seu placitet[r] in sc[a]cio ꝑdčo, Nisi illud specialiꝰ tangat nos, vel ministros nr̃os ꝑdčos. Et ideo vob̃ mandamꝰ qđ ꝑmissa coram vob̃ distincte & apte legi, rotulari & deceꝛo observari faciatis, in Sc[a]cio ꝑdčo. In cujꝰ &c. T.R. apud Roth̃ [xxiij die Marcii.2]

1 placita *Lib. Scacc. X.*

2 { xxiv die Maii anno x°. *Cott. MS. Vesp. B. VII.*
{ xxiij die Marť anno regni nr̃i xij°. *Lib. Scacc. X.*

Anno 13° EDWARDI, I. A.D. 1285.

Statuta Reg' Edwardi edita apud Westmon in parleamento suo pasch' Anno Regni sui Tciodecimo:—xiij°.

STATUTES OF KING EDWARD, Made at WESTMINSTER in his PARLIAMENT, at EASTER, In the THIRTEENTH YEAR of his Reign.

*Ex magno Rot. Stat. in Turr. Lond. m. 46.**

CUM nup Dñs Rex in quindena Sči Johis Baptiste anno regni sui sexto, Convocatis Prelatis, Comitibz, Baronibus & consilio suo apud Glouč, quia multi de regno suo exheredačom paciebant[r] eo qđ in multis casibz ubi remedium apponi debuit prius non fuit p ꝑdecessores suos aut ipm remedium ꝓvisum, quedam statuta populo suo valde necessaria & utilia edidit, p que populus suus Anglicanus & Hibernic⁹ sub suo regimine gubernatus celeriorem justiciam q'm prius in suis oppressionibz consecutus est, ac quidam casus in quibz lex deficiebat remanserunt non determinati, Quedam čm ad reprimendū oppressionē populi remanserūt statuenda, Dñs Rex in ꝓleamento suo post Pascha anno regni sui ꝑciodecimo apud Westm̄, multas opꝑsiones & legum defčus, ad supplečom ꝑdčoz statutoz apud Glouč editoz, recitari fecit & statuta edidit ut patebit in sequenti.

IN primis, de tenementis que multociens dant[r] sub condičone, videlicet cum aliquis dat terram suam alicui viro & ejus uxi & heredibz de ipis viro & muliere ꝓcreatis, adjecta condičone expressa tali qđ si huj⁹modi vir & mulier sine herede de ipis viro & muliere ꝓcreato obissent, terra sic data ad donatorem vel ad ejus heredem revertat[r]: ¶ In casu eciam cum quis dat tenem̄ in libum maritagiū quod donū ñet condičom annexam, licet non exprimatur in carta doni, que talis est, qđ si vir & mulier sine herede de ipis ꝓcreato obierint tenem̄ sic datum ad donatorem vel ad ejus heredem revtat[r]: ¶ In casu eciam cum quis dat tenemitū alicui & heredibz de corpe suo exeuntibz, durum videbatur & adhuc videtur huj⁹modi donatoribz & heredibz donatoz qđ voluntas ipoz in donis suis exꝑssa non fuit prius nec adhuc est observata: In omnibz čm ꝑdčis casibz post prolem suscitatam & exeunte ab ipis quibz tem̄ sic fuit datum condicionaliter, hucusq, ñuerunt huj⁹modi feoffati potestatem alienandi tem̄ sic datū & exheredandi de tem̄ exitū ipoz cont[a] voluntatem donatoz & formam de dono expressam: Et ꝑterea cum deficiente exitu de huj⁹modi feoffatis tenem̄ sic datum ad donatorem vel ad ejus heredem revti debuit p formam in carta de dono exꝑssam, licet exitus si quis fuerit obisset, p fčum & feoffamentū ipoz quibz tem̄ sic fuit datum sub condičone exclusi fuerunt hucusq, de reversione eozdem tem̄ quod manifeste fuit cont[a] formam doni sui: ꝑꝑ quod dñs Rex, ꝓpendens qđ necessarium & utile est in ꝑdčis casibz apponle remediū, statuit qđ voluntas donatoris šcđm

WHEREAS of late our Lord the King, in the Quinzim of Saint John Baptist, the Sixth Year of his Reign, calling together the Prelates, Earls, Barons, and his Council at Gloucester, and considering that divers of this Realm were disherited, by reason that in many Cases, where Remedy should have been had there was none provided by him nor his Predecessors, ordained certain Statutes right necessary and profitable for his Realm, whereby the People of England and Ireland, being Subjects unto his Power, have obtained more speedy Justice in their Oppressions, than they had before; and certain Cases, wherein the Law failed, did remain undetermined, and some (1) remained to be enacted, that were for the Reformation of the Oppressions of the People: Our Lord the King in his Parliament, after the Feast of Easter, holden the Thirteenth Year of his Reign at Westminster, caused many Oppressions [of the People,] and Defaults of the Laws, for the Accomplishment of the said Statutes of Gloucester, to be rehearsed, and thereupon did provide certain Acts, as shall appear here following.

I. Several Sorts of Gifts of Lands upon Condition;

FIRST, Concerning Lands that many times are given upon Condition, that is to wit, Where any giveth his Land to any Man and his Wife, and to the Heirs begotten of the Bodies of the same Man and his Wife, with such Condition expressed that if the same Man and his Wife die without [Heirs (2)] of their Bodies between them begotten, the Land so given shall revert to the Giver or his Heir: In case also where one giveth Lands in free Marriage, which Gift hath a Condition annexed, though it be not expressed in the Deed of Gift, which is this, That if the Husband and Wife die without Heir of their Bodies begotten, the Land so given shall revert to the Giver or his Heir: In case also where one giveth Land to another, and the Heirs of his Body issuing; it seemed very hard, and yet seemeth to the Givers and their Heirs, that their Will being expressed in the Gift, was not heretofore, nor yet is observed: (3) in all the Cases aforesaid, after Issue begotten and born between them, to whom the Lands were given under such Condition, heretofore such Feoffees had Power to aliene the Land so given, and to disherit their Issue of the Land, contrary to the Minds of the Givers, and contrary to the Form expressed in the Gift: And further, when the Issue of such Feoffee is failing, the Land so given ought to return to the Giver, or his Heir, by Form of the Gift expressed in the Deed, though the Issue, if any were, had died: Yet by the Deed and Feoffment of them, to whom Land was so given upon Condition, the Donors have heretofore been barred of their Reversion, which was directly repugnant to the Form of the Gift: Wherefore our Lord the King, perceiving how necessary and expedient it should be to provide Remedy in the aforesaid Cases, hath ordained, That the Will of the

In such Gifts the Donor's Will shall be observed.

[1] *things* [2] *Heir* [3] *For*

* Some Words illegible on the Roll are supplied from the Entry of this Statute in fo. 260, &c. of *Register A.* in the Chapter House at Westminster; of which the Various Readings are also given. See the Note to the Statutes of Gloucester, ante page 45.

Giver, according to the Form in the Deed of Gift manifestly expressed, shall be from henceforth observed; so that they to whom the Land was given under such Condition, shall have no Power to aliene the Land so given, but that it shall remain unto the Issue of them to whom it was given after their Death, or [shall revert] unto the Giver or his Heirs, if Issue fail [whereas [1]] there is no Issue at all, or if any Issue be, [and fail by Death, or Heir of the Body of such Issue failing.[2]] Neither shall the second Husband of any such Woman, from henceforth, have any thing in the Land so given upon Condition, after the Death of his Wife, by the Law of England, nor the Issue of the second Husband and Wife shall succeed in the Inheritance, but immediately after the Death of the Husband and Wife, to whom the Land was so given, it shall [come to their Issue, or return unto [3]] the Giver, or his Heir, as before is said.

Writs of Formedon in Descender.

And forasmuch as in a new Case new Remedy must be provided, this Manner of Writ shall be granted to the Party that will purchase it: [Precipe A. quod juste, &c. reddat E. manerium de F. cum suis pertinentiis, quod C. dedit tali viro & tali mulieri, & hæredibus de ipsis viro & muliere exeuntibus.[4]] Or thus: [Quod C. dedit tali viro in liberum maritagium cum tali muliere, & quod post mortem prædictorum viri & mulieris, prædicto B. filio eorundem viri & mulieris descendere debeat per formam donationis prædictæ, ut dicit, &c. Vel, Quod C. dedit tali & hæredibus de corpore suo exeuntibus, & quod post mortem illius talis, prædicto B. filio prædicti talis descendere debeat per formam, &c.[5]] The Writ whereby the Giver shall recover, when Issue faileth, is common enough in the Chancery. And it is to wit that this Statute shall hold place touching Alienation of Land contrary to the Form of the Gift hereafter to be made, and shall not extend to Gifts made before.

A Fine shall not bar the Heir in Tail.

And if a Fine be levied hereafter upon such Lands, it shall be void in the Law; neither shall the Heirs, or such as the Reversion belongeth unto, though they be of full Age, within England, and out of Prison, need to make their Claim.

II. Mischiefs to Lords distraining their Tenants; by Replevins.

FORASMUCH as Lords of Fees distraining their Tenants for Services [and Customs] due unto them, are many times grieved, because their Tenants do replevy the Distress by Writ, or without Writ; and when the Lords, at the Complaint of their Tenants, do come by Attachment into the County, or unto another Court, having Power to hold Pleas [of Withernam,[6]] and do avow the taking good and lawful, by reason that the Tenants disavow to hold ought, nor do claim to hold any thing of him which took the Distress and avowed it, he that distrained is amerced, and the Tenants go quit; to whom Punishment cannot be assigned for such disavowing by Record of the County, or of other Courts having no Record: It is Provided and ordained from henceforth, That where such Lords cannot obtain Justice in Counties and such manner of Courts against their Tenants, as soon as they shall be attached at the Suit of their Tenants, a Writ shall be granted to them to remove the Plea before the Justices, afore whom, and none otherwhere, Justice may be ministred unto such Lords; and the Cause shall be put in the Writ, because such a Man distrained in his Fee for Services and Customs to him due: Neither is this Act prejudicial to the Law commonly used, which did not permit that any Plea should be moved before Justices at the Suit of the Defendant; for though it appear at the first shew that the Tenant is Plaintiff, and the Lord Defendant, nevertheless, having respect to that, that the Lord hath distrained, and sueth for Services and Customs being behind, he appeareth indeed to be rather Actor, or Plaintiff, than Defendant.

A Recordare to remove the Plaint out of the County Courts.

[1] *either by reason that*

[2] *it fail by Death, the Heir of such Issue failing.*

[3] return to their Issue, or to

[4] *Command A. that justly, &c. he render to B. such a Manor with the Appurtenances, which C. gave to such a Man, and such a Woman, and to the Heirs of the said Man and Woman issuing.*

[5] *Which C. gave to such a Man in free Marriage with such a Woman, and which, after the death of the aforesaid Man and Woman, to the aforesaid B. son of the aforesaid Man and Woman, ought to descend, by the Form of the Gift aforesaid, as he saith. Or, which C. gave to such a Man and the Heirs of his Body issuing, and which after the death of the said such a one, to the aforesaid B. Son of the aforesaid such a one, ought to descend by the Form, &c.*

[6] *of a forbidden or unjust taking,*

formam in carta doni sui manifeste expressam de cetero observet', Ita qđ non ħeant illi, quibꝫ teñ sic fuit datum sub condicõne, potestatem alienandi teñ sic datum quo min⁹ ad exitū illoꝫ quibꝫ teñ sic fuerit datum remaneat post eoꝫ obitum, vel ad donatorē vel ad ejus heredem, si exit⁹ deficiat ꝑ hoc qđ nullus sit exitus oñino, vel si aliquis exitus fuerit, ꝑ mortem deficiet, herede huj⁹modi exitus deficiente. Nec ħeat deceđo scđs vir huj⁹modi mulieris aliquid in teñ sic dato p condicõm post mortē uxis ejus ꝑ legem Angł, nec exitus de scđo viro & muliere successionem hereditariam, set statim post mortem viri & mulieris quibꝫ teñ sic fuit datum post eoꝫ obitum vel ad eoꝫ exitū vel ad donatorē vel ad ejus heredem ut ꝑdcum est revtatur. Et quia in novo casu novū remedium est apponendū fiat impetranti tale breve: Precipe A. qd juste, &c. reddat B. tale manium cum ptinenč quod C. dedit tali viro & tali mulieri & heredibus de iꝑis viro & muliere exeuntibꝫ. Vel, Quod C. dedit tali viro in liberum maritagiū cum tali muliere, & quod post mortem ꝑdčoꝫ viri & mulieris ꝑdčo B. filio ꝑdčoꝫ viri & mulieris descendere debet ꝑ formam donacõnis ꝑdče ut dicit. Vel, Quod C. dedit tali & heredibꝫ de corpe suo exeuntibꝫ & quod post mortem iꝑius talis ꝑdčo B. filio ꝑdči talis descendere debet ꝑ formam, &c. Bře ꝑ quod donator ħet recupare suū deficiente exitu satis est in usu in Cancellaria. Et sciendum qđ hoc statutū quoad alienacõem teñ contª formam doni imposterum faciend locum ħet, & ad dona pⁱus facta nō extenditr. Et si finis sup huj⁹modi teñ imposterum levetur, iꝑo jure sit nullus, nᶜ ħeant heredes aut illi ad quos spectat revsio, licet plene sint etatis in Angł & extª prisonam, necesse apponle clamiū suū.

Quia dñi feodoꝫ distringentes tenentes suos ꝑ ꝟviciis sibi debitis multociens gravantr ꝑ hoc qđ cum tenentes sui districcõm suam ꝑ breve vel sine brevi replegiavint, ac iꝑi dñi cum ad querimoniam tenēciū suoꝫ ad Coñ vel ad aliam curiam ħentem potestatem placitandi placita de vetito namio, ꝑ attachiamentū venint, & racionabilem & justam districcõm advocavint, ꝑ hoc qđ tenentes deadvocant nichil tenere nec clañ tenere de eo qui districcõm fecit & advocavit, remansit qui distrinxit in ñia & tenentes sui quieti, quibꝫ ꝑ illa deadvocacõne ꝑ record Coñ sive aliaꝫ Cur que record non ħent pena infligi non potest: Deceđo ꝓvisum est & statutū qđ cum huj⁹modi dñi in Coñ vel hujusmodi Cur justiciam de hujusmodi tenentibꝫ suis consequi non possint qª̃m cito attachiati fuerunt ad sectam tenenciū suoꝫ, concedatur eis breve ad ponendū loquelam illam coram Justič, coram quibꝫ & non alibi justicia huj⁹modi dñis exhiberi poꝑit; Et inseratur causa in bři quia talis distrinxit in feodo suo ꝑ ꝟviciis & consuetudinibꝫ sibi debitis: nec ꝑ istud statutū derogatur legi cõi usitate que non ꝑmisit ꝑlitum aliquod poni coram Justič ad peticõm defendentis; quia licet prima facie videbatr tenens actor & dñs defendens ħito tamen respectu ad hoc qđ dñs distringit & sequitur ꝑ ꝟviciis & consuetud sibi a retro existentibꝫ, realiter pocius appebit actor sive querens qª̃m defendens.

Et ut in certo sint Justič de qua recenti seisina poſunt dñi advocare racõnabilem districčõm sup tenentes suos, ꝓceſſo concordatū est qđ racõnabilis districčõ advocari poſit de seisina antecessoꝝ suoꝝ vel ꝑdecessoꝝ a tempe quo breve nove disseſie currit. Et quia aliqñ contingit qđ cum tenens postq̃m replegiavit avia sua avia illa vendit [vł elongat[1]] quominus returnū fieri possit dño distringenti si adjudicet[r]: ꝓvisum est qđ Vič aut ballꝯ de ceſo nō recipiant a conquerentibꝫ solūmodo pleğ [de ꝓsequendo[2]] anteq̃m deliberačõm faciant de aviis, set etiam de aviis retornandis si adjudicet[r] returnū. Et si quis alio modo pleğ recepit respondeat ipſe de ꝓcio averioꝝ & ħeat Dñs dist'ngens recupare ꝑ breve qđ reddat ei tot avia vel tot catalla, & si non ħeat Ballivus unde reddat, reddat supior suus. Et quia aliquando contingit qđ postq̃m adjudicatum fuit distringenti returnū avioꝝ, & sic districtus, postq̃m avia sic retornata i'um replegiavit, cum viderit distringentem compentem in curia ꝓatum sibi respondere, defaltam feciſ, ob quam i'um adjudicabit[r] distringenti ret'nū avioꝝ & sic bis, tertio & in infinitum, replegiabunt[r] avia, nec ħebunt judicia curie Regis in hoc casu effčum, sup quo non fuit prius remediū ꝓvisum, ordinatus est in hoc casu talis ꝓcessus qđ q̃m cito adjudicatum fuerit distringenti returnū avioꝝ ꝑ breve de judicio mandet[r] vič qđ returnū ħre faciat distringenti de aviis; in quo brevi inseratur qđ vič ea non deliberet sine brevi in quo fiat mencio de judicio ꝑ Justič reddito, quod fieri non poſit nisi ꝑ breve quod exeat de rotulis Justič coram quibꝫ deducta fuerit loquela. Cum igit[r] adierit Justič & petierit avia sua i'um replegiaſ, fiat ei hoc breve de judicio, qđ vič capta securitate de ꝓs̃, & etiam de aviis vel catall retornandis vel eoꝝ ꝓcio si adjudicetur returnū, deliberet ei avia vel catalla p'us retornata & attachiet[r] qui distrinxit ad veniendum ad certum diem coram Justič coram quibꝫ placitum deducatur in ꝑsencia ꝓcium. Et si i'ato ille qui replegiavit feciſ defaltam vel alia occõne adjudicet[r] returnū districčõnis jam bis replegiate, remaneat districčõ illa imꝑptuū irreplegiabilis, set si de novo & de nova causa fiat districčõ de nova districčõne ꝺvetur ꝓcessus supradčus.

In casu quando vir amisit ꝑ defaltam teñ quod fuit jus uxis sue durum fuit qđ uxor post mortem viri sui non ħuit aliud recupare q̃m ꝑ breve de Recto, ꝓpꝑ quod dñs Rex statuit quod mulier post mortem viri sui ħeat recupare ꝑ breve de ingressu cui ipa in vita sua cont[a]dicere non potuit, quod in forma [ꝑdča[3]] erit placitand: si contra petičõm mulieris tenens excipiat quod ħuit ingressū ꝑ judiciū & compto qđ ꝑ defaltam, ad quod tenens necesse ħet respondere si ab eo queratur, tūc necesse ħet ulterius ostendere jus suū sčdm formam brevis quod p'us impet[a]vit sup virū & uxem. Et si verificare poſit qđ jus ħet in teñ petito nichil capiat mulier ꝑ breve suū; quod si ostendere non poſit recupet mulier tenem̃ petitū; hoc obꝺvato qđ si vir absentaviſ se & noluerit jus uxis sue defendere, vel invita uxe reddere voluerit, si uxor ante judicium veniſ ꝑata petenti respondere & jus suū defendere,

[1] [2] Interlined on the Roll.

[3] subsc'pta *Reg. A: Rot. Bodl.*

And to the Intent the Justices may know upon what fresh Seisin the Lords may avow the Distress reasonable upon their Tenants; from henceforth It is agreed and enacted, That a reasonable Distress may be avowed upon the Seisin of any Ancestor or Predecessor [since the Time that a Writ of Novel disseisin hath run.[1]] And because it chanceth sometimes that the Tenant, after that he hath replevied his Beasts, doth sell or [aliene[2]] them, whereby Return cannot be made unto the Lord that distrained, if it be adjudged: It is provided, That Sheriffs or Bailiffs from henceforth shall not only receive of the Plaintiffs Pledges for the pursuing of the Suit, before they make Deliverance of the Distress, but also for the Return of the Beasts, if Return be awarded. And if any take Pledges otherwise, he shall answer for the Price of the Beasts, and the Lord that distraineth shall have his Recovery by Writ, that he shall restore unto him so many Beasts or Cattle; and if the Bailiff be not able to restore, his Superior shall restore. And forasmuch as it hapneth sometime, that after the Return of the Beasts is awarded unto the Distrainor, and the Party so distrained, after that the Beasts be returned, doth replevy them again, and when he seeth the Distrainor appearing in the Court ready to answer him, doth make Default, whereby Return of the Beasts ought to be awarded again unto the Distrainor, and so the Beasts be replevied twice or thrice, and infinitely, and the Judgements given in the King's Court take no Effect in this Case, whereupon no Remedy hath been yet provided; in this case such Process [shall be awarded,[3]] that so soon as Return of the Beasts shall be awarded to the Distrainor, the Sheriff shall be commanded by a judicial Writ to make Return of the Beasts unto the Distrainor; in which Writ it shall be expressed, that the Sheriff shall not deliver them without Writ, making mention of the Judgement given by the Justices, which cannot be without a Writ issuing out of the Rolls of the said Justices before whom the Matter was moved. Therefore when he cometh unto the Justices, and desireth (4) Replevin of the Beasts, he shall have a *judicial Writ, that the Sheriff* taking Surety for the Suit, and also of the Beasts or Cattle to be returned, or the Price of them, if Return be awarded, shall deliver unto him the Beasts or Cattle before returned, and the Distrainor shall be attached to come at a certain Day before the Justices, afore whom the Plea [was moved,[5]] in Presence of the Parties. And if he that replevied make Default again, or for another cause Return of the Distress be awarded, being now twice replevied, [the[6]] Distress shall remain (7) irrepleviable; but if a Distress be taken of new, and for a new Cause, the Process abovesaid shall be observed in the same new Distress.

Pledges to prosecute a Replevin.

Replevin of Distress after Judgement for Return.

Writ of Second Deliverance.

Distress irrepleviable.

III. *A Cui in vita for the Wife, where her deceased Husband lost by Default.*

IN case when a Man doth lose by Default the Land which was the Right of his Wife, it was very hard that the Wife, after the Death of her Husband, had none other Recovery but by a Writ of Right; wherefore our Lord the King hath ordained, That a Woman, after the Death of her Husband, shall recover by a Writ of Entry, [whereto she could not disagree during his Life,[8]] which shall be pleaded in Form under-written: If the Tenant do except against the Demand of the Wife, that he entered by Judgement, and it be found that his Entry was by Default, whereto the Tenant of Necessity must make Answer, if it be demanded of him, then he shall be compelled to make further Answer, and to shew his Right according to the Form of the Writ that he purchased before against the Husband and the Wife. And if he can verify that he hath [or had] Right in the Land demanded, the Woman shall gain nothing by her Writ; which Thing if he cannot shew, the Woman shall recover the Land in Demand; this being observed, that if the Husband absent himself, and will not defend his Wife's Right, or against his Wife's Consent will render the Land, if the Wife do come before Judgement, ready to answer the Demandant, and to defend

Receipt of the Wife upon the Husband's Default.

[1] from the time that the Writ of Novel disseisin doth run.
[2] eloign
[3] is ordained *MS. Tr.* 1.
[4] again
[5] shall be handled
[6] *that*
[7] *for ever*
[8] called, 'Cui ipsa in vita sua contradicere non potuit'

Receipt of him in the Reversion.

her Right, the Wife shall be admitted. Likewise if Tenant in Dower, Tenant by the Law of the Land, or otherwise for Term of Life, or by Gift, where the Reversion is reserved, do make Default, or will give up; the Heirs, and they unto whom the Reversion belongeth, shall be admitted to their Answer if they come before Judgement: And if upon such Default, or Surrender, Judgement hap to be given, then the Heirs, or they unto whom the Reversion belongeth after the Death of such Tenants, shall have their Recovery by a Writ of Entry, in which like Process shall be observed as is aforesaid, in case where the Husband loseth his Wife's Land [by Default]; and so in the Cases aforesaid two Actions do concur, one between the Demandant and Tenant, and another between the Tenant shewing his Right, and the Demandant.

IV. The Wife endowable of Land recovered against her Husband by Default, &c.

IN Case where the Husband, being impleaded for Land, [giveth up the Land demanded unto his Adversary by Covin [1]] after the Death of the Husband, the Justices [shall award [2]] the Wife her Dower, if it be demanded by Writ; but in case where the Husband loseth the Land in demand by Default, if the Wife, after the Death of her Husband, demandeth her Dower, it hath been [proved,[3]] that some Justices have awarded unto the Woman her Dower notwithstanding the Default which her Husband made, other Justices being of the contrary Opinion, and judging otherwise; to the intent that from henceforth such Ambiguity shall be taken away, It is thus Ordained in certain, That in both Cases the Woman demanding her Dower shall be heard: And if it be alledged against her, that her Husband lost the Land, whereof the Dower is demanded, by Judgement, whereby she ought not to have Dower, and then it be enquired by what Judgement, and it be found that it was by Default, whereunto the Tenant must answer; then it behoveth the Tenant to answer further, and to shew that he had Right, and hath in the foresaid Land, according to the Form of the Writ that the Tenant before purchased against the Husband. And if he can shew that the Husband of such Wife had no Right in the Lands, nor any other but he that holdeth them, the Tenant shall go quit, and the Wife shall recover nothing of her Dower; which Thing if he cannot shew, the Wife shall recover her Dower. And so in these Cases, and in certain other following, that is to say, When the Wife being endowed loseth her Dower by Default, and Tenants in free Marriage, by the Law of England, or for Term of Life, or in Feetail, divers Actions do concur; for such Tenants, when they must demand their Land lost by Default, and when it is come to that Point, that the Tenants must be compelled to shew their Right, they cannot make Answer without them to whom the Reversion of Right belongeth: Therefore it is granted unto them to vouch to Warranty, as if they were Tenants, if they have a Warranty. And when the Warrantor hath warranted, the Plea shall pass between him that is seised and the Warrantor, according to the Tenor of the Writ that the Tenant purchased before, and by which he recovered by Default; and so from many Actions at length they shall resort to one Judgement, which is this, That the Demandants shall recover their Demand, or the Tenants shall go quit. And if the Action of such a Tenant, which is compelled to shew his Right, be moved by a Writ of Right, though that the great Assise or Battail cannot be joyned by the Words accustomed, yet it shall be joined by Words convenient (4): For [when [5]] the Tenant, in that he sheweth his Right which belongeth to him by the Writ that he before purchased, (6) instead of a Demandant, the Warrantor may well defend the Right of the Tenant, which is accounted in Place of the Demandant as before is said, and offer to defend the Seisin of his Ancestors by the Body of his Freeman, or put himself [in [7]] the great Assise, and pray Recognizance to be made, whether he hath more Right to the Land in Demand, or else the Party before named; or otherwise the great Assise

Remedy for Tenants for Life, &c. who lose their Land by Default.

admittatur uxor. Eodem modo si tenens in dotem, p Legem Angł, vel aliter ad ꝑminū vite vel p donū in quo reservatur reꝛsio fecit defaltam, vel reddere se luerit, admittantur heredes & illi ad quos spectat reꝛsio ad responsionē si venit ante judic'; Et si p defaltam aut reddic̄ōm reddatur judiciū tunc heant heredes & illi ad quos spectat reꝛsio post mortem hujꝰmodi tenenciū recupare p breve de ingressu, in quo ꝺsetur idem ꝓcessus sicut dc̄um est sup' in casu ubi vir amittit ten̄ uxis; & sic in casibꝫ ꝑdc̄is due concurrunt acc̄ones, una int' petentē & tenentē & alia int' tenentem jus suū ostendentem & petentē.

In casu quando vir implacitatus de ten̄ reddit tenem̄ petitum suo adꝛsario de plano, post mortē viri Justic̄ adjudicant mulieri dotem suam, si p bre querat'; set in casu quando vir amittit ten̄ petitū p defaltam, si mulier post mortem viri sui petat dotem, comptum est qđ p aliquos Justic̄ adjudicata fuerit dos mulieri petenti non obstante defalta quam vir suus fecit, aliis Justic̄ in contraria oppinione existentibꝫ & cont'ium judicantibꝫ; ut de ceꝛto amputetur hujꝰmodi ambiguitas, sic in certo ordinatum est, qđ in utroq; casu audiatur mulier que dotem petit: Et si excipiat' cont' ip̄am qđ vir ip̄m tenem̄ unde dos petita est amisit p judiciū p quod dotem ħre non debet, Et si queratur p quod judiciū, & comptum fuit qđ p defaltam, ad quod tenens necesse ħet respondere tūc [- - -[1]] tenentē ulterius respondere & ostendere qđ ip̄e tenens jus ħuit & het in ꝑdc̄o ten̄, sc̄dm formam bris quod prius sup virum impetravit. Et si ostendere poꝛit qđ vir mulieris non ħuit jus in ten̄, nec aliquis alius q'm ip̄e qui tenet, recedat quietꝰ & ux̄ nichil capiat de dote; quod si ostendere non poꝛit, recupet mulier dotem suam. Et sic in casibus istis, & in quibusdam casibꝫ subsequentibus, scilicet quando uxor dotata amittit dotem p defaltam, & tenentes in maritagium p Legem Angł, vel ad ꝑminū vite vel p feodum talliatum, concurrunt plures acc̄ones; quia hujꝰmodi tenentes cum opteat eos petere ten̄ sua p defaltam amissa, & ad hoc ꝓventum fuerit, qđ tenens necesse ħet ostendere jus suū, non possunt ip̄i sine hiis ad quos spectat reꝛsio de jure respondere: Et ideo concedit' eis qđ vocent ad Warantū, ac si essent tenentes, si Warantum ħeant. Et cum Warantus warantizaꝛit ꝓcedat placitum int' illum qui seis̄ est & Warantum, sc̄dm tenorem bris quod tenc̄s prius impet'vit & p quod recupavit p defaltam, & sic ex pluribꝫ acc̄onibus ad ultimū ꝓveniatur ad unū judiciū, videlicet ad hoc qđ hujusmodi petentes recupant petic̄oem suam, vel qđ tenentes eant quieti. Et si accio hujusmodi tenentis qui necesse habet ostendere jus suū mota fuerit p breve de Recto, licet magna assisa vel duellū jungi non possint p verba consueta, jungi tamen possunt p verba satis apta: Quia cum tenens in hoc qđ ostendit jus suū quod ei competit p breve quod prius impetravit sit loco actoris, bene poꝛit Warantus defendere jus tenentis, qui loco petentis ut dc̄m est ħetur, & seisinam antecessoris sui offerre defendere p corpus liberi hominis sui, vel ponere se in magnam assisam & petere recognic̄om fieri, utrū ip̄e majus jus ħeat in teneñto petito an ꝑdcus talis; vel alio modo jungi poꝛit

[1] giveth plainely up the land demanded, unto his Adversary,
[2] have awarded
[3] seen
[4] enough
[5] whereas
[6] is
[7] upon

[1] optet *Reg. A.*

magna assisa sic; Talis defendit jus, &c. et cognoscit seisinam antecessoris sui & ponit se in magnam assisam, &c. & petit recognicõm fieri utrum ipe majus jus heat in pdco tenem ut in illo de quo feoffavit talem, vel quod talis remisit & quietũ clam, &c. an pdcus talis.

Cum aliquando contingat qd mulier non hens jus petendi dotem, herede alicujus infra etatem existente, impetret breve de dote sup custodem & custos p favorem mulieris dotem reddiderit vel defaltam fecerit vel placitum ita ficte p collusionem defenderit p quod dos hujmodi mulieri in pjudiciũ heredis adjudicata fuit; pvisum est qd heres cum ad etatem pvenit heat accõnẽ petendi seisinam antecessoris sui vsus hujusmodi mulierem, qualem hret versus aliũ quẽcumq; deforciatorem; Ita tamen qd salva sit mulieri versus petentem excepcio ostendendi quod jus het in dote sua, quod si ostendere pot recedat quieta & dotem suam retineat & sit heres in mia & amcietur gravit secdm discrecõm Justic, sin autem recupet heres peticõm suam. Eodem modo subveniatur mulieri si heres vel alius eam implacitavit de dote sua si dotem suam p defaltam amiserit, in quo casu sua defalta non sit ei ita pjudicialis quin dotem suam si jus heat recupare possit, & fiat ei tale breve. Precipe A. qd juste, &c. reddat tali que fuit ux talis tantam tram cum ptinenc in N. quam clam esse racõnabilem dotem suam, vel de racõnabili dote sua, & quam talis ei deforc. Et ad istud bre heat tenens excepcõm suam [ad [1]] ostendendũ quod [mulier [2]] jus [ĩ [3]] het in dote, quod si verificare pot recedat quiet; alioquin recupet mulier ten quod p'us tenuit in dotem. Et cum tempibz retroactis aliquis terram suam amisisset p defaltam non huit aliud recupare qm p breve de recto, quod eis compe non pot qui de mero jure loqui non potuerũt, veluti tenentes ad minũ vite, vel p libum maritagiũ vel p feodũ talliatum, in quibz casibus salvat' revsio; pvisum est decero qd eoz defalta non sit eis ita pjudicialis quin statum suũ, si jus heant, recupare possint p aliud breve qm p breve de Recto. De maritagio amisso p defaltam fiat tale breve: Precipe A. qd juste, &c. reddat B. tale manium de C. cum ptinenc quod clamat esse jus & maritagiũ suũ & quod A. ei injuste deforc. Eodem modo de ten tento ad minũ vite p defaltam amisso fiat breve: Precipe A. qd juste & sine dilone reddat B. manium de C. cum ptin quod clam [esse jus & maritagiũ suũ & quod pdcus A. ei injuste deforc: vel, quod clam [4]] tenere ad minũ vite sue: vel, quod clamat tenere sibi & heredibz suis de corpe suo exeuntibz, & quod pdcus A. ei injuste deforc.

M. 45. Cum de advocacõnibus eccliaz non sint nisi tria brevia originalia, videlicet breve de Recto & duo de possessionibz s. Ultime presentacõnis & Quare Impedit, & hucusq; usitatum fuit in regno qd cum aliquis jus nõ hens psentandi psentavit ad aliquam eccliam cujus psentatus sit admissus ipe qui verus est patronus p nullum aliud breve recupare pot advocacõm suam qm p breve de Recto quod het minari p duellum vel p magnam assm, p quod heredes infra etatem existentes p fraudem & negligenciam custod, heredes eciam sive majores sive minores p negligenciam vel fraudem tenenciũ [in dotem [5]] p legem Angt, vel mulierum tenenciũ in dotem, vel alio modo ad minũ vite vel annoz vel

[1] [2] Interlined on the Roll.
[3] ostendendo qd jus nõ het in dote *Reg. A.*
[4] *Reg. A.* omits. [5] *Reg. A.* omits.

may be joined thus: [Talis defendit jus, &c. and so the Warrantor may defend the Right,[1]] and knowledge the Seisin of his Ancestor, and put himself [in [2]] the great Assise, &c. and pray Recognizance to be made, whether he hath more Right in the foresaid Land, as in that whereof he infeoffed such a Man, or that such a one released and quit claimed, &c. or else, the foresaid Party, &c.

Writ for the Heir on Dower recovered during his Minority.

And where sometime it chanceth that a Woman not having Right to demand Dower, the Heir being within Age, doth purchase a Writ of Dower against a Guardian, and the Guardian endoweth the Woman by Favour, or maketh Default, or by Collusion defendeth the Plea so faintly, whereby the Woman is awarded her Dower in Prejudice of the Heir: It is Provided, That the Heir, when he cometh to full Age, shall have an Action to demand the Seisin of his Ancestor against such a Woman, like as he should have against any other Deforceor; yet so, that the Woman shall have her Exception saved against the Demandant, to shew that she had Right to her Dower, which if she can shew, she shall go quit and retain her Dower, and the Heir shall be grievously amerced, according to the Discretion of the Justices; and if not, the Heir shall recover his Demand, &c. In like Manner the Woman shall be aided, if the Heir or any other do implead her for her Dower, [or if she lose [3]] her Dower by Default, in which case the Default shall not be so prejudicial to her, but that she shall recover her Dower, if she have Right thereto and she shall have this Writ. [Præcipe A. quod juste, &c. reddat B. quæ fuit uxor F. tantam terram cum pertinentiis in C. quam clamat esse rationabilem dotem suam, vel de rationabili dote sua, & quod prædictus A. ei deforceat, &c.[4]] And to this Writ the Tenant shall have his Exception, to shew that she had no Right to be endowed; which if he can verify, he shall go quit; if not, the Woman shall recover the Land whereof she was endowed before. And Whereas before time, if a Man had lost his Land by Default, he had none other Recovery than by a Writ of Right, which was not maintainable by any that could not claim of meer Right, as Tenants for Term of Life, in free Marriage, or in Tail, in which Estates a Reversion is reserved; It is Provided, That from henceforth their Default shall not be so prejudicial, but that they may recover their Estate by another Writ than by a Writ of Right, if they have Right. For Land in Free Marriage, lost by Default, such a Writ shall be made: [Præcipe A. quod juste, &c. reddat B. manerium de D. cum pertinentiis, quod clamat esse jus & maritagium suum, & quod A. ei injuste deforciat.[5]] Likewise of Land for Term of Life, lost by Default, this Writ shall be made: [Præcipe A. quod juste, & sine dilatione, &c. reddat B. manerium de D. cum pertinentiis, quod clamat tenere ad terminum vitæ suæ, & quod prædictus A. ei deforceat: Likewise, Quod clamat tenere sibi, & hæredibus de corpore suo legitime procreatis, & quod prædictus A. ei deforceat.[6]]

Writ of Dower, after Dower lost by Default.

Writs for other particular Tenants after Default.

For Tenant in Frank-marriage.

For Tenant for Life;

For Tenant in Tail.

V. Three original Writs of Advowson.

WHEREAS of Advowsons of Churches there be but Three original Writs, that is to say, One Writ of Right, and Two of Possession, which be Darrein Presentment, and Quare Impedit; and hitherto it hath been used in the Realm, that when any having no Right to present, had presented to any Church, whose Clerk was admitted, he that was very Patron could not recover his Advowson, but only by a Writ of Right, which should be tried by Battail or by great Assise, whereby Heirs within Age, by Fraud, or else by Negligence of their Wardens, and Heirs [both of great and mean Estate,[7]] by Negligence or Fraud of Tenants by the Courtesie, Women Tenants in Dower, or otherwise for Term of

[1] *Such a one doth defend the Right, &c.*
[2] upon [3] if she lose
[4] *Command A. that justly, &c. he render to such a Woman, who was such a Man's Wife, so much Land with the Appurtenances in N. which she claimeth to be her reasonable Dower, or of her reasonable Dower, and whereof such a one hath deforced her.*
[5] *Command A. that justly, &c. he render to B. such a Manor of C. with the Appurtenances which he claimeth to be his Right and his Marriage, and whereof A. unjustly deforceth him.*
[6] *Command A. that justly and without delay he render to B. the Manor of C. with the Appurtenances which he claimeth to hold for Term of his Life: Or, which he claimeth to hold to him and his Heirs of his Body issuing; and whereof the aforesaid A. unjustly deforceth him.*
[7] both of full age and within age,

Writ of Advowson possessory.

Life, or for Years, or in Fee-tail, were many Times disherited of their Advowsons, or at least, which was the better for them, were driven to their Writ of Right, [in which case hitherto they were utterly disinherited [1]]: It is Provided, That such Presentments shall not be so prejudicial to the right Heirs, or to them unto whom such Advowsons ought to revert after the Death of any Persons: For as often as any, having no Right, doth present during the Time that such Heirs are in Ward, or during the Estates of Tenants in Dower, by the Courtesie, or otherwise for Term of Life, or of Years, or in Tail, at the next Avoidance, when the Heir is come to full Age, or when after the Death of the Tenants before named the Advowson shall revert unto the Heir being of full Age, he shall have such Action (1) by Writ of Advowson Possessorie, as the last Ancestor of such an Heir should have had at the last Avoidance happening in his Time, being of full Age before his Death, or before the Demise was made [for Term of Life,[3]] or in Fee-tail, as before is said: The same shall be observed in Presentments made unto Churches, being of the Inheritance of Wives, what Time they shall be under the Power of their Husbands, which must be aided by this Estatute by the Remedy aforesaid. Also religious Men, as Bishops, Archdeacons, Parsons of Churches, and other Spiritual Men, shall be aided by this Estatute, in case any having no Right to present do present unto Churches, belonging to Prelacies, Spiritual Dignities, Parsonages, or to Houses of Religion, what Time such Houses, Prelacies, Spiritual Dignities, or Parsonages be vacant.

Judgments shall stand good until reversed.

Neither shall this Act be so largely understanden, that such Persons, for whose Remedy this Statute was ordained, shall have the Recovery aforesaid, surmising that Guardians [of Heirs, Tenants in Tail, by the Courtesie, Tenants in Dower,[4]] for Term of Life, or for Years, or Husbands, faintly have defended Pleas moved by them, or against them; because the Judgements given in the King's Courts shall not be annulled by this Statute, (2) the Judgement shall stand in his Force, until it be reversed in the Court of the King as erroneous, if Errour be found; or [by Assise of Darrein presentment, or by Enquest by a Writ of Quare impedit, if it be passed, or be annulled [6]] by Attaint, or (7) Certification, which shall be freely granted.

Plenarty not to be pleaded if Writ be purchased within Six Months.

And from henceforth one Form of Pleading shall be observed among Justices in Writs of Darrein Presentment and Quare Impedit, in this respect, if the Defendant alledgeth Plenarty of the Church of his own Presentation, the Plea shall not fail by reason of the Plenarty; so that the Writ be purchased within Six Months, though he cannot recover his Presentation within the Six Months.

Presentation by Turns under an Agreement.

And sometimes when an Agreement is made between many claiming one Advowson, and inrolled before the Justices in the Roll, or by Fine, in this Form, that one shall present the first Time, and at the next Avoidance another, and the third Time another; and so of many, in case there be many: And when one hath presented, and had his Presentation, which he ought to have according to the Form of [their Agreement and Fine [8]] and at the next Avoidance he to whom the second Presentation belongeth, is disturbed by any that was Party to [the said Fine,[9]] or by some other in his stead; It is Provided, That from henceforth they that be so disturbed shall have no need to sue a Quare Impedit, but shall resort to the Roll or Fine; and if the said Concord or Agreement be found in the Roll or Fine, then the Sheriff shall be commanded, that he give Knowledge unto the Disturber, that he be ready at some short Day, containing the Space of Fifteen Days, or three Weeks, as the Place happeneth to be near or far, for to shew if he can alledge any Thing, wherefore the Party that is disturbed ought not to present: And if he come not, or peradventure doth come, and can alledge nothing to bar the Party of his Presentation by reason of any Deed made [or written [10]] since the Fine was made or inrolled, he shall recover his Presentation with his Damages.

Remedy for Disturbance.

[1] and in case were hitherto altogether disherited,
[2] and Exception [3] *for a Term*
[4] *Tenants in Dower, by the Curtesy, or otherwise* [5] but
[6] the Assise of Darrein Presentment, or the Enquest in the Quare Impedit, if any hath passed, be annulled
[7] by [8] *such Agreement*
[9] *Rast.* 1603. omits.

feodum talliatum multociens exheredacõm paciebant de advocacõnibꝫ suis, vel ad minus quod melius erat ponebantur ad breve de recto, & in casu omnio exheredati fuerũt hucusq; ; statutum est qd hujusmodi ꝑsentacõnes non sint hujusmodi recuperationibus aut illis ad quos post mortẽ aliquoꝫ hujm̃odi advocaciones reverti debent prejudiciales, [quia [1]] quociens aliquis jus non ħiens tempe hujmodi custodiaꝫ ꝑsentaverit, vel tempe tenenciũ in dotem p legem Angł vel alio modo ad ꝯminũ vite vel annoꝫ vel p feodum talliatũ, in ꝓxima vacacione postq̃m [heres [2]] ad etatem pvẽnit vel advocacio post mortẽ in forma ꝑdca tenenciũ ad heredẽ plene etatis existentem revtit' ħeat eandem accõem & excepcõm p breve de advocacõne possessorium qualem ħeret ultimus antecessor hujmodi heredis plenam ħiens etatem in ultima vacacione tempe suo accidente ante mortem suam vel anteq̃m dimissio facta fuerit ad terminũ vel ad feodum talliatum ut ꝑdcm est; hoc idem obsvet' de ꝑsentacionibꝫ fcis ad ecclias de hereditate ux̃ tempe quo fuerũt sub potestate viroꝫ suoꝫ, quibꝫ p istud statutũ subveniatur p remedium supdcm. Viris etiam religiosis Epis [Archł [3]] Rectoribꝫ ecclias & aliis psonis eccliasticis p istud idem statutum subveniatur, Si quis jus ꝑsentandi non ħiens ꝑsentavit ad ecclias, domibꝫ suis ꝑlacie dignitati aut psonatui spectantes, tempe quo vacavint ꝑlacie dignitates aut psonatus hujusmodi. Nec tamen ita large intelligatur istud statutũ qd psone ad quaꝫ remedium istud statutum est editũ ħeant recupare supdcm dicentes qd custodes, tenentes in dotem p legem Angł, vel aliter ad ꝯminũ vite vel annoꝫ, vel viri, ficte defenderunt placitum p ipos vel contra ipos motum; Quia judicia in curia Regis reddita p istud statutum non adnichilent' set stet judicium in suo robore quousq; p judicium curie Regis tanqm erroniũ, si error inveniat', adnulletur; vel assisa Ultime ꝑsentacõnis vel [inquisicõnis [4]] p breve Quare impedit si tnsierit p attinctam vel p certificacõem adnichiletur que gratis concedatur. Et deceo una forma placitandi in brevibꝫ Ultime ꝑsentacõnis & quare impedit int Justic obsvetur, quoad hoc, si pars rea excipiat de plenitudine ecclie p suam ppam ꝑsentacõem, non ꝓpter plenitudinem illam remaneat loquela, dumm breve infra semestre tempus impetret' qmqm infra tempus semestre ꝑsentacõem suam recupare nõ possit. Et cum aliquando int plures clamantes advocacõem alicujus ecclie pax fuerit formata int ptes & irrotulata coram Justic in rotulo vel in fine sub hac forma, qd unus primo ꝑsentet & in sequenti vacacõne alius & in ordine cius, & sic de pluribꝫ si plures sint: Et cum unus ꝑsentavit & habuerit suam ꝑsentacõm quam ħre debet p formam illius convencionis, & in ꝓxima vacacõne [impediat' [5]] ille ad quem sequens spectat ꝑsentacõ p aliquem qui fuit pars illius convencõnis vel loco ejus, statutum est qd deceo non ħeant hujusmodi impediti necesse pquirere breve Quare impedit, set ħeãt recursum ad rotulum vel ad finem; Et si in rotulo vel in fine compta fuerit ꝑdca pax vel convencio, mandetur Vic qd scire faciat pti impedienti qd sit ad aliquem brevem diem continentem spaciũ quindecim dieꝫ vel trium septim̃, scdm qd locus est ꝓpinquus vel remotus, ostens si quid sciat dicere quare sic impeditus talem ꝑsentacõm suam ħere non debeat: Et si non venerit vel forte venit & nichil sciat dicere quare sic impeditus ꝑsentacõm suam ħre non debeat racione alicuj facti post pacem irrotulatam vel cirographatam, recupet ꝑsentacõm suam cum dampnis suis.

[1] } Interlined on the Roll.
[2] }
[3] Archidiaconis *Reg. A.*—Archid *Rot. Bodl.*: *Lib. Horn.*—Archiepis, Epis, Archidiaconis, *MS. Cott. XVI.*
[4] Inquisicõ *Reg. A*: *Rot. Bodl.* [5] Interlined on the Roll.

Et cum contingat qđ post mortem [antecessoꝛ suoꝛ quis [1]] ad ([2]) eccliam ꝑsentavit, assignata fuit illa advocacio in dotem alicuj° mulieris, vel ([3]) p legem Angł, et tenentes in dotem ([4]) p legem Angł ꝑsentavint & verus heres post mortem huj°modi tenenciū p legem Angł, vel in dotem [impediat' [5]] ꝑsentare cum eccl'a vacavit, ꝓvisum est qđ dece°o sit in electc̃one impediti utrum ꝓquirere velit p breve Quare impedit, vel Ultime ꝑsentac̃onis. Hoc etiam observetur de advocacionib3 dimissis ad t'minū vite vel annoꝛ vel ad feodū talliatum. Et dece°o in brevib3 Ultime ꝑsentacionis & Quare impedit adjudicent' dampna videlicet si tempus semestre t'nsierit p impedimentum alicujus Ita qđ si Eꝑus eccliam conferat & verus patronus ea vice ꝑsentac̃om suam amittat adjudicent' dampna ad valorem [6 Ecclie de duob3 annis: Et si temp° nō t'nsierit, s3 [dissēionet' [7]] ꝑsentac̃o infr' temp° ꝑdc̃m, tūc adjudicent' dampna ad valorem [8]] medietatis eccie p annū. Et si impeditor nichil ħeat unde restituere possit dampna in casu quando Eꝑs confert p lapsum tempis puniatur p p'sonā duoꝛ annoꝛ. Et si advocacio disrac̃onet' infra tempus semestre puniatur tamen impeditor p prisonam dimidii anni. Et de ce°o concedant' bŕia de Capellis, ꝑbendis, vicariis, Hospitalib3, Abbiis, Prioratibus & aliis domib3 que sunt de advocacionib3 aliquoꝛ que prius concedi non consueverunt. Et cum p breve Indicavit impediatur rector alicuj° ecclie ad petendum decimas in vicina pochia, ħeat patronus rectoris sic impediti breve ad petendum advocac̃om decimaꝛ petitaꝛ. Et cum [disꝛonavit [9]] ꝓcedat postmodum placitum in curia Xꝑianitatis, quaten° disꝛonatum fuit in curia Regis: cum advocacio descendit ꝓticipib3 licet unus bis ꝑsentet & usurpet sup coheredem, non ꝓpt hoc exclusus sit ille in toto qui fuit negligens, set alias ħeat turnū suū ꝑsentandi cum acciderit.

Cum quis petat tenem̃ versus alium & implacitatus vocavit ad warantum & Warantus dedicat warantiam & diu pendeat placitum int tenentem & Warantū, cum ad ultimū convincat' qđ vocatus ad warantū warantizare tenetur, p legem & consuetudinē hactenus usitatam non fuit aliqua pena inflicta Vocato, qui warantizare dedixit nisi tantum qđ warantizaret & esset in mĩa quia prius non warantizavit, quod durū fuit petenti qui multociens p collusionem int tenentem & Warantum magnas sustinuit dilac̃ones: ꝓpter quod statuit Dñs Rex, qđ sicut tenens amittet teñ petitū si vocasset ad warantū & Warant° se possꝫ devolvere de warantia, eodem modo amittat Warantus si warantiam dedicat & convincat' qđ warantizare debeat. Et si inquisic̃o pendeat int tenēt̄ & Warantū & petens petat breve ad faciend venire Juratam concedat' ei.

Custodi dece°o concedat' breve de Amensurac̃one dotis, nec p sectam custodis si fic̃te & p collusionem sequat' versus mulierem tenentē in dotem ꝑcludatur heres cum ad etatem ꝓvenit ad dotem amensurandam sc̃dm qđ p legem Angł fuit amensuranda. Et tam in brevi isto q'm in brevi de Amensurac̃one pasture celerior q'm prius dece°o sit ꝓcessus, Ita qđ cum ꝓventū fuerit ad magnam districc̃om dent' dies infra quos duo Com̃ teneantur ad quos publica fiat ꝓclamacio qđ defendens veniat ad diem in brevi contentū querenti respons̃;

[1] añcessoris qui *Reg. A.*—quis is interlined on the Tower Roll.
[2] aliq'm *Reg. A.* [3] teneat' *Reg. A.*
[4] vł *Reg. A.* [5] Interlined on the Roll.
[6—8] These words, which are omitted from the Tower Roll, are here supplied from *Reg. A.* wherewith agree the Red Book of the Exchequer at Dublin, *MS. Cott. Claud. D. II., Rot. Bodl., Lib. Horn.*, innumerable other Manuscripts, and all Printed Copies.
[7] disr̃onet' *Rot. Bodl: Lib. Horn.*
[9] dissionavit *Reg. A.*—disrationatum fuerit *Printed Copies.*

And where it chanceth that after the Death of the Ancestor [of him [1]] that presented his Clerk unto a Church, the same Advowson is assigned in Dower to any Woman, or to Tenant by the Curtesie, which do present, and after the Death of such Tenants the very Heir is disturbed to present when the Church is void, It is Provided, That from henceforth it shall be in the Election of the Party disturbed, whether he will sue a Writ of Quare Impedit, or of Darrein Presentment. The same shall be observed in Advowsons demised for Term of Life, or Years, or in Fee-tail. And from henceforth in Writs of Quare Impedit and Darrein Presentment, Damages shall be awarded, that is to wit, If the Time of Six Months pass by the Disturbance of any, so that the Bishop do confer to the Church, and the very Patron loseth his Presentation for that Time, Damages shall be awarded [[2] for Two Years value of the Church. And if the Six Months be not passed, but the Presentment be [deraigned [1]] within the said Time, then Damages shall be awarded to the Half-year's Value of the Church;[4]] and if the Disturber have not whereof he may recompense Damages, in case where the Bishop conferreth by Lapse of Time, he shall be punished by Two Years' Imprisonment: And if the Advowson be [deraigned [3]] within the Half-year, yet the Disturber shall be punished by the Imprisonment of Half a Year. And from henceforth Writs shall be granted for Chapels, Prebends, Vicarages, Hospitals, Abbeys, Priories, and other Houses which be of the Advowsons of [other [5]] Men, that have not been used to be granted before. And when the Parson of any Church is disturbed to demand Tythes in the next Parish by a Writ of Indicavit, the Patron of the Parson so disturbed, shall have a Writ to demand the Advowson of the Tythes being in demand; and when it is [deraigned,[6]] then shall the Plea pass in the Court Christian, as far forth as it is [deraigned [6]] in the King's Court. When an Advowson descendeth unto Parceners, though one present twice, and usurpeth upon his Coheir, yet he that was negligent shall not be clearly barred, but another Time shall have his Turn to present when it falleth.

Remedy for Disturbance of Presentation after a particular Estate ended.

Damages in Quare impedit and Darrein presentment.

Writs for Chapels, Prebends, Vicarages, &c.

Usurpation by one Coparcener upon another.

VI. The Penalty where the Vouchee denieth his Warranty.

WHEN any demandeth Land against another, and the Party that is impleaded voucheth to Warranty, and the Warrantor denieth his Warranty, and the Plea hangeth long between the Tenant and the Warrantor; and at length, when it is tried, that the Vouchee is bound to Warranty, by the Law and Custom of the Realm hitherto used there was none other Punishment assigned for the Vouchee that denieth his Warranty, but only that he should warrantize, and should be amerced, because he did not warrant before; which was prejudicial unto the Demandant, because he suffered oftentimes great Delays by Collusion between the Tenant and the Warrantor: Wherefore our Lord the King hath ordained, That like as the Tenant should leese the Land being in Demand, in case where he vouched, and the Vouchee could discharge himself of the Warranty, in the same wise shall the Warrantor leese in case where he denieth his Warranty, and it be tried against him that he is bounden to Warranty. And if an Inquest be depending between the Tenant and the Warrantor, and the Demandant will require a Writ to cause the Jury to come, it shall be granted him.

A Venire Facias at the Demandant's Request.

VII. Admeasurement of Dower for Guardian or Heir.

A WRIT of Admeasurement of Dower shall be from henceforth granted to a Guardian; neither shall the Heir, when he cometh to full Age, be barred by the Suit of such a Guardian, that sueth against the Tenant in Dower feignedly, and by Collusion, but that he may admeasure the Dower, after as it ought to be admeasured by the Law of England. And as well in this Writ, as in a Writ of Admeasurement of Pasture, more speedy Process shall be awarded than hath been used hitherto; so that when it is come unto the great Distress, Days shall be given, within which Two Counties may be holden, at the which open Proclamation shall be made, that the Defendant shall come in at the Day contained in the Writ, to answer to the Plaintiff;

Process thereon: and in Admeasurement of Pasture.

[1] Old Printed Translations omit these Words.
[2—4] MS. Tr. 1. and all Printed Translations have this Sentence, in conformity with the Printed Copies of the Text.
[3] recovered [5] *any* [6] tried

at which Day, if he come in, the Plea shall pass between them; and if he do not come, and the Proclamation be testified by the Sheriff in manner abovesaid, upon his Default they shall make Admeasurement.

VIII. The Remedy upon a second Overcharge of Pasture.

WHEREAS by a Plea moved upon a Writ of Admeasurement of Pasture, the Pasture was sometime admeasured before the Justices, sometime before the Sheriff in the County, and it chanced many Times, after such Admeasurement made, the Pasture to be overcharged again by him that first did it, with more Beasts than he ought to keep, whereupon no Remedy hath been yet provided; It is ordained, That upon the second Overcharge, the Plaintiff shall have Remedy in this manner: If the Admeasurement were before the Justices, the Plaintiff shall have a Writ judicial, that the Sheriff in Presence of the Parties being summoned, if they will come, shall inquire upon the second Overcharge; which if it be found, it shall be returned before the Justices, under the Seals of the Sheriff, and the Seals of the Jurors; and the Justices shall award the Plaintiff Damages, and shall put in the Extreats the Value of the Beasts which [were [1]] put into the Pasture after such Admeasurement more than he ought, and shall deliver the Extreats unto the Barons of the Exchequer, whereof they shall answer unto the King. If such Admeasurement were made in the County, then, at the Request of the Plaintiff, a Writ shall go out of the Chancery, that the Sheriff shall inquire of such Overcharge; and for the Beasts put in the Pasture above the due Number, or for the Value of them, he shall answer to the King at the Exchequer. And lest the Sheriff might defraud the King in this case, it is agreed, that all such Writs De secunda Superoneratione, that pass out of the Chancery, shall be inrolled, and at the Year's End the Transcripts shall be sent into the Exchequer under the Chancellor's Seal, that the Treasurer and Barons of the Exchequer may see how the Sheriff doth answer of the Issues of such Writs; in the same wise Writs of Redisseisin shall be inrolled and sent into the Exchequer at the Year's End.

Writs de Secunda Superoneratione shall be inrolled.

And Writs of Redisseisin.

IX.

WHEN Chief Lords distrain in their Fee for Customs and Services to them due, and there is a Mean which ought to acquit the Tenant, sithence it lieth not in the Mouth of the Tenant, after that he hath replevied the Distress, to deny the Demand of the Chief Lord, which avoweth in the King's Court, that the Distress is lawfully taken upon his Tenant, which is upon the Mean; and many have been heretofore sore grieved by such Distresses, in so much as the Mean, notwithstanding that he hath whereby he may be distrained, doth make long delays before he will come into the Court to answer [for his Tenant [2]] unto the Writ of Mean; and further, the Case was most hard when the Mean had nothing; In case also when the Tenant was ready to do his Services and Customs unto his Lord, and the Chief Lord would refuse to take such Services and Customs by the Hands of any other than of his next Tenant, and so such Tenants in Demean lost somewhiles the Profits of their Lands for a Time, and somewhiles for their whole Time, and hitherto no Remedy hath been provided in this Case: A Remedy is Provided and Ordained hereafter in this Form; That so soon as such Tenant in Demean, having a Mean between him and the Chief Lord, is distrained, incontinent the Tenant shall purchase his Writ of Mean; and if the Mean, having Land in the same County, absent himself until the great Distress awarded, the Plaintiff shall have such Day given him in his Writ of great Distress, afore the coming whereof two Counties may be holden, and the Sheriff shall be commanded to distrain the Mean by the great Distress, like as it is contained in the Writ, and nevertheless the Sheriff in two full Counties shall cause to be proclaimed solemnly, that the Mean do come at a Day contained in the Writ, to answer his Tenant; at which Day, if he come, the Plea shall pass between them after the common Usage; and if he do not come, then such Mesne shall lose the Services of his Tenant,

The Writ of Mesne, and new Process therein.

[1] The Overcharger *MS. Tr.* 1.

[2] to such their Tenants *MS. Tr.* 1.

ad quem diem si venit pcedat placitum inp eos. Et si non venit & pclamacio supsdčo modo p Vič testificata fuit, pcedatur p defaltam ad amensuračom faciendam.

Cum p placitum motum p breve de Amensuračone pasture pastura fuerit amensurata, aliquando coram Justič aliquando in Com coram Vič, multociens contingit qđ post hujusmodi amensuračom fčam ipum ponat ille qui primo suponavit pasturam plura animalia qm ad ipm ptinet tenda nec hucusq; pvisum esset remediū; statutū est qđ de scđa suponačone fiat remediū querenti sub hac forma, qđ conquerens teat breve de judicio, si coram Justič amensurata fuerit pastura, qđ vič in psencia pcium pmunitaz si interesse voluint, inquirat de scđa suponačone, que si inventa fuit mandetur Justič sub sigillo Vič & sigillis juratoz, & Justiciarii adjudicent dampna conquerenti, et ponant in extractis valorem animaliū que suponans post amensuračom fčam posuit in pasturam ultra qđ debuit, Et extactas liberent Baronibz de Scio ut inde respondeant Dño Regi. Si in Com facta fuerit amensuracio tūc ad instanciam querentis exeat breve de Cancellar, qđ Vič inquirat sup hujmodi suponačone; [de aliis pōitis in pastura ultra debitum numum vel de pcio, et Dño Regi ad sccm suū respondeant.[1]] Et ne Vič fraudem faciant Dño Regi in isto casu, concordatum est qđ omia hujmodi brevia de scđa suponačone que exeunt de Cancellaria irrotulent, & in fine anni mittat tnscriptum ad Scam, sub sigillo Cancellarii, ut videant Thes & Barones de Scio qualip Vič respondeant de exitibz hujmodi breviū; eodem modo irrotulentur brevia de redisseisina & mittant ad Scam in fine anni.

Cum capitales Dii distringant feodum suū p sviciis & consuetudinibz sibi debitis, & medius sit qui tenentem acquietare debet cum non jaceat in ore tenentis postqm districčom replegiavit dedicere demandam capitalis dii qui advocat in curia Dii Regis justam districčom fieri sup tenentē suū videlicet sup mediū, multi p hujusmodi districčones hucusq; gvati extiterūt p hoc qđ medius licet tret p quod distingi posset magnas fecit diones anteqm ad curiam venit ad respondendum hujmodi tenentibz suis ad breve de medio, p hoc eciam qđ durius fuit in casu quando medius nichil tuit; In casu eciam qndo si tenens patus esset facere capitali Dño svicia & consuetudines exactas, Et capitalis Dis svicia & consuetudines sibi debitas renuebat pcipe p manus alterius, qm pximi tenentis sui, Et sic amiserūt hujmodi tenentes in dnico pficuū terraz suaz, aliquando ad tempus aliquando toto tempe suo, nec fuit antea aliquod remediū in hoc casu pvisum; Ordinatū est & pvisum in hoc casu remediū imposterum sub hac forma, qđ qmcito hujmodi tenens in dnico tiens mediū inp ipm & capitalem dm distringit, statim pquirat si tenens breve de medio; et si medius tiens terram in eodem Com defugerit usq; ad magnam districčom, detur querenti in brevi suo de magna districčone talis dies, ante cujus adventū duo Com teneantur, et pcipiat Vič qđ distringat mediū p magnam districčom put in brevi continet, et nichilomin Vič in duobz plenis Com solempnip pclamari faciat, qđ hujusmodi medius veniat ad diem in brevi contentū respons tenenti suo; ad quem diem si venit pcedat placitum inp eos modo consueto, et si non venit, amittat hujmodi medius sviciū tenentis sui,

[1] Et de aliis pōitis in pastura ultra debitū numū, vt de pcio dño R ad sccm suū respondeat *Reg. A.*

et amodo non respondeat ei tenens in aliquo; set, omisso illo medio, respondeat capitali dño de eisdem ꝟviciis & consuetudinibus que p'us facere debuit [ꝑdčo medio,[1]] nec ħeat capitalis Dñs potestatem distringendi, dum ꝑdčus tenens offerat ei ꝟvicia debita & consueta; et si capitalis Dñs exegᵭit plusq'm medius ei facere deberet, ħeat tenēs in hoc casu excepčõm quam ħiret medius. Si vero medius nichil ħũit in potestate Reg̃, n'omin᷒ ꝓquirat tenens breve suũ de medio, ad Vič illius Com̃ in quo distringit'. Et si Vič mandavit qđ nichil ħet ubi potest sũmoneri n'omin᷒ sequatur [ħre[2]] de attachiañito. Et si Vič mandavit qđ nichil ħet ꝑ quod potest attachiari, n'omin᷒ sequatur breve de magna districčõne & fiat ꝓclamacio in forma ꝑdča. Si vero medius non ħeat ꝟram in Com̃ in quo fit districcio, set ħeat terram in alio Com̃, tunc exeat breve originale ad sumonend mediũ ad Vič illius Com̃ in quo fit districčõ, et cum testificatũ fuerit ꝑ illum Vič qđ nichil ħet in Com̃ suo, exeat breve de judicio ad sumonend mediũ, ad Vič illius Com̃ in quo testificatum fuit qđ ħet teñ, & fiat secta in illo Com̃, quousq; ꝓveniat' ad magnam districčõm & ꝓclamačõm sicut dčm est sup[4] de medio ħente ꝟram in eodem Com̃ in quo fit districčõ, & n'omin᷒ fiat secta in Com̃ in quo nichil ħet sicut dčm est sup[a] de medio nichil ħente, quousq; ꝓveniat' ad magnam districčõm & ꝓclamačõm, & sic post ꝓclamačõm in utroq; Com̃ fčam, abjudicet' medius a feodo & ꝟvicio suo. Cum aliquando contingat qđ tenens in dñico feoffatus est ad tenendũ ꝑ minus ꝟviciũ q'm medius facere debuit capitali Dño [&[3]] cum post huj᷒modi ꝓclamačõem, attornatus sit tenens capitali dño, medio omisso, necesse ħebit tenens respondere capitali dño de ꝟviciis & consuetudinib; que medius ei prius face debuit; Et post-q'm venit medius in curia, & cognovit qđ acquietare debeat tenentem suũ, vel adjudicetur ad acquietandũ, si post huj᷒modi cognič̃m vel judm, querimonia ꝓveniat qđ medius non acquietet teneutē suũ, tũc exeat breve de judicio, qđ vič distringat mediũ ad acquietandum tenentē suũ & ad essend coram Justič ad certũ diem ad ostendendũ quare p'us non acquietavit; Et cum ꝑ districčõm venit, audiatur querens, Et si querens verificare potᵭit qđ iꝑm non acquietavit, satisfaciet de dampnis, & ꝑ judiciũ tenens recedat quiet᷒ de suo medio & attornet' capitali Dño. Et si ad primam districčõm non venit exeat breve de alia districčõne, & fiat ꝓclamacio. Et postq'm testificata fuit ꝓcedatur ad judiciũ sicut supi᷒ dčm est. Et sciendũ qđ ꝑ hoc statutũ non excludunt' tenentes quin ħeant warantiam, si de teñ suis implacitent' sup medios suos & eoꝝ heredes sicut prius habuerũt. Nec eciam excludunt' tenentes, quin sequi possint vers᷒ medios suos scđm consuetudinem p'us usitatam, si viderint qđ ꝓcessus eoꝝ plus valeat ꝑ antiquam consuetudinē, q'm ꝑ istud statutũ. Et sciendũ, qđ ꝑ istud statutũ non ꝓvidet' remediũ quib;cũq; mediis set soluñodo in casu cum sit unus medius tantum int dñm distringentem & tenentē; Et in casu q'ndo medius ille est plene etatis; Et in casu quando tenens, sine ꝑjudicio alteri᷒ q'm medii, attornare se potest capitali dño, quod dčum est ꝑ mulierib; tenentib; in dotem, tenentib; ꝑ legem Angł, vel aliter ad ꝟminũ vite vel ꝑ feodũ talliatũ, quib; ꝑ aliquib; [cãis[4]] nondũ est remediũ ꝓvisũ, set Deo dante alias ꝓvidebitur.

[1] ꝑdčs medius *Reg. A.*

[2] [3] [4] Interlined on the Roll.

and from thenceforth the Tenant shall not answer him in any thing; but, the same Mean being excluded, he shall answer unto the Chief Lord for such Services and Customs [as before he ought to have done to the same Mean;[1]] neither shall the Chief Lord have Power to distrain, so long as the aforesaid Tenant doth offer him the Services and Customs due; and if the Chief Lord exact more than the Mean [ought to do,[2]] the Tenant in such Case shall have such Exceptions as the Mean should. And if the Mean have nothing within the King's Dominion, the Tenant shall nevertheless purchase his Writ of Mean to the Sheriff of the same Shire wherein he is distrained. And if the Sheriff return, that he hath nothing whereby he may be summoned [then[3]] shall the Tenant sue his Writ of Attachment. And if the Sheriff return, that he hath nothing to be attached by, he shall nevertheless sue his Writ of Great Distress, and Proclamation shall be made in Form abovesaid. And if the Mean have no Land in the Shire where the Distress is taken, but hath Land in some other Shire, then a Writ Original shall issue, to summon the Mean, unto the Sheriff of the same Shire where the Distress is taken, and when it is returned by the Sheriff that he hath nothing in his Shire, a Writ Judicial shall issue, to summon the Mean, unto the Sheriff of the same Shire in which it shall be testified that he hath Land, and Suit shall be made in the same Shire until they have passed unto the Great Distress and Proclamation, as above is said [in[4]] the Mean having Land in the same Shire in which the Distress is taken; and nevertheless Suit shall be made in the same Shire where he hath nothing, as above is said of the Mean that hath nothing, until the Process come to the Great Distress and Proclamation; and so after Proclamation made in both Counties, the Mean shall be forejudged of his Fee and Service. And where it happeneth sometimes, that the Tenant in Demean is infeoffed to hold by less Service than the Mean ought to do unto the Chief Lord, when after such Proclamation the Tenant hath attorned to the Chief Lord, and, the Mean being excluded, the Tenant must of Necessity answer unto the Chief Lord for all such Services and Customs as the Mean was wont to do to him; And after that the Mean is come into the Court, and hath confessed that he ought to acquit his Tenant, or be compelled by Judgement to acquit, if after such Confession or Judgement it is complained that the Mean doth not acquit his Tenant, then shall issue a Writ Judicial, that the Sheriff shall distrain the Mean to acquit the Tenant, and to be at a certain Day before the Justicers, for to shew why he hath not acquitted him before; and when [they have proceeded unto the Great Distress,[5]] the Plaintiff shall be heard; and if the Plaintiff can prove, that he hath not acquitted him, he shall yield Damages, and by Award of the Court the Tenant shall go quit from the Mean, and shall attorn unto the Chief Lord. And if he come not at the first Distress, a Writ shall go forth to distrain him again, and Proclamation shall be made, and as soon as it is returned, they shall proceed [in[6]] Judgement, as before is said. And it is to be understanden, that by this Statute Tenants are not excluded, but they shall have a Warranty of the Means and their Heirs, if they be impleaded of their Lands, as they have had before. Nor the Tenants shall be excluded, but that they may sue against their Means, as they used heretofore, if they see that their Process may be more available by the old Custom, than by this Statute. And it is to wit, that by this Statute no Remedy is provided to any Means, but only in case where there is but one only Mean between the Lord that distraineth and the Tenant; and in case where that Mean is of full Age; and in case where the Tenant may attorn unto the chief Lord, without Prejudice of any other than of the Mean, which is spoken for Women Tenants in Dower, and Tenants by the Courtesie, or otherwise for Term of Life, or in Fee-tail, unto whom for certain Causes Remedy is not yet provided, but, God willing, there shall be at another Time.

The Mesne forejudged of his Fee and Services in default of Appearance.

The Tenant holding by less Service than the Mesne doth.

Proceedings when the Mesne doth appear.

Damages in a Writ of Mesne.

The Tenants may have Warranty of the Mesne, &c.

For what Mesne Tenants this Statute is ordained.

[1] as the Mean used to do before that time;
[2] *ought to have rendered to him*
[3] *nevertheless* [4] *of*
[5] *he hath come, by force of the Distress,* [6] *to*

X. Time of the delivering of Writs for Suits depending before Justices in Eyre.

WHEREAS in the Circuit of Justices it was proclaimed, That all such as would deliver Writs, should deliver them within a certain Time, after which no Writ should be received; many trusting upon the same, and tarrying until the said Time, and no Writ served upon them, departed by Licence of the said Justices; after whose Departure their Adversaries, perceiving their Absence, delivered their Writs in Wax, which sometime by Fraud, and sometimes for Rewards, be received of the Sheriff, and they, that thought to have departed quiet, lose their Lands: For the Remedy of such Fraud, from henceforth, the King hath ordained, That the Justices in their Circuits shall appoint a Time of Fifteen Days, or a Month, [or[1]] a Time more or less, after as the County shall happen to be more or less, within which Time it shall be openly proclaimed, that all such as will deliver their Writs, shall deliver them before the same Time; and when the Time cometh, the Sheriff shall certifie the Chief Justice in Eyre how many Writs he hath, and what, and that no Writ be received after the same Time; and if it be received, the Process issuing thereupon shall be of none Effect; but only that a Writ abated any Time during the Circuit may be amended; also Writs of Dower of Men that died within the Summons of the Circuit, Assises of Darrain presentment, Quare impedit, of Churches vacant within the foresaid Summons, shall be received at any Time before the Departure of the Justices; also Writs of Novel disseisin, at what Time soever the Disseisin was done, shall be received [in the Circuit of Justices.[2]] Our Lord the King of his special Grace granteth, That such as have Land in divers Shires where the Justices make their Circuit, [and that have Land in Shires where the Justices have no Circuit, that fear to be impleaded,[3]] and are impleaded of other Lands in Shires where they have no Circuit, as before the Justices at Westminster, or in the King's Bench, or before Justices assigned to take Assises, or in any County before Sheriffs, or in any Court Baron, may make a general Attorney to sue for them in all Pleas in the Circuit of Justices moved or to be moved for them, or against them, during the Circuit; which Attorney or Attorneys shall have full Power in all Pleas moved during the Circuit, until the Plea be determined, or that his Master remove him; yet shall they not be excused thereby, but they shall be put in Juries and Assises before the same Justices.

Any Person may make a general Attorney, in Eyre.

XI. On testimony of Auditors, Accomptants may be committed to Prison.

CONCERNING Servants, Bailiffs, Chamberlains, and all Manner of Receivers, which are bound to yield Accompt, It is agreed and ordained, That when the Masters of such Servants do assign Auditors to take their Accompt, and they be found in Arrearages upon the Accompt, [all Things allowed which ought to be allowed,] their Bodies shall be arrested, and, by the Testimony of the Auditors of the same Accompt, shall be sent or delivered unto the next Gaol of the King's in those Parts; and shall be received of the Sheriff or Gaoler, and imprisoned in Iron under safe Custody, and shall remain in the same Prison at their own Cost, until they have satisfied their Master fully of the Arrearages. Nevertheless if any Person being so committed to Prison, do complain, that the Auditors of his Accompt have grieved him unjustly, charging him with Receipts that he hath not received, or not allowing him Expences, or reasonable Disbursements, and can find Friends that will undertake to bring him before the Barons of the Exchequer, he shall be delivered unto them; and the Sheriff, in whose Prison he is kept, shall give Knowledge unto his Master, that he appear before the Barons of the Exchequer at a certain Day, with the Rolls and Tallies by which he made his Accompt; and in the Presence of the Barons, or the Auditors that they shall assign him, the Accompt shall be rehearsed, and Justice shall be done to the Parties, so that if he be found in Arrearages, he shall be committed to the Fleet, as above is said. And if he flee, and will not give Accompt willingly, as is contained elsewhere in other Statutes, he shall be distrained to come before the Justices to make his Account, if he have whereof to be distrained.

Proceedings may be removed into the Exchequer.

[1] Not in Original. [2] *See Note* (3) *to the Latin Text.*

[3] *Or who fear to be impleaded of Lands in a Shire where the Justices make their Circuit.*

Cum in Itinere Justiciar̃ ꝑclamatum fuerit, qđ oĩes qui brevia liberare voluerint, ea liberent infra certum ꝑminū post quem nullum breve recipiatur, multi de hoc confidentes cum moram fecĩnt usq; ad ꝑdĉm ꝑminū & nullū breve sup eos fuerit liberatum de licencia Justic̃ recedunt, post quoꝝ recessum adversarii sui ipꝺoꝝ absenciam ꝓcipientes brevia sua porrigunt in cera, que aliquando ꝑ fraudem, aliquando ꝑ vic̃ ꝑ dono recipiunt[r], & [alii[1]] qui sec'e credebant recessisse, teñ sua amittunt: ut huj⁹modi fraudi subveniatur imposterum, statuit dñs Rex, qđ Justic̃ in Itiñib; suis statuant ꝑminū, quindecim dieꝝ vel mensis, minoris vel majoris ꝑmini scđm qđ Coñ fuĩt major vel minor, infra quem ꝑminū publice ꝓclamet[r], qđ oĩes qui brevia liberare voluerint ea liberent citra illum ꝑminū, & in adventu illius ꝑmini certificet Vic̃ capitalẽ Justic̃ Iuñis quot bria [hent[2]] & que, & qđ ultra illum ꝑminū nullum breve recipiat[r], quod si receptum fuĩt ꝓcessus ꝑ illud fĉus ꝑ nullo ħeatur, excepto qđ breve cassatum durante toto itiñe relevari potĩt; Breve eciam de dote, de viris qui obierint infra suñonic̃om itiñis, assise Ultime ꝑsentac̃onis, Quare impedit de eccl̃iis vacantibus infra suñonic̃om ꝑdĉam, quocūq; tempe ante recessum Justic̃, recipiant[r]; brevia eciam Nove disseĩe quocūq; tempe facta fuerit disseĩa recipiant[r].

[In itiñibus Justic̃[3]] concedit dñs Rex de gr̃a speciali qđ illi qui teñ ħent in diꝝsis Comitatib; in quib; Justic̃ itiñant, vel de quibusdam teñ in Coñ in quo Justic̃ (4) itiñant timent implacitari, & de aliis tenem̃ in Coñ in [qu - -[5]] Justic̃ non itiñant [implacitent[r][6]] coram Justic̃ apud Westm̃ vel in Banco dñi Regis vel coram Justic̃ ad assisas capiendas assign̄, vel in aliquo Coñ coram Vic̃ vel in aliqua cur̃ Baron̄, facere possint attornatum genalem ad sequendum ꝑ eis in oĩib; placitis in itinere Justic̃ ꝑ ipis vel cont[a] ipos motis vel movendis durante itiñe, qui quidem attornatus vel attornati ħeant potestatem in placitis motis in itiñe, quousq; placitū ꝑminet[r] vel dñs suus ipm amovĩt; nec ꝑ hoc excusent[r] [si fuerit[7]] in juratis, vel assisis coram eisdem Justic̃.

De ꝺvientib;, Ballis, Camariis & quib;cūq; receptoribꝫ, qui ad compotum reddendū tenent[r] concorditer est statutum & ordinatum, qđ cum dñs huj⁹modi ꝺvienciū dederit eis auditores compoti, & contingat ipos esse in arrerag̃ sup compotum suū, arrestent[r] corpa ipoꝝ ꝑ testimoniū auditoꝝ ejusdem compoti, & mittant[r] aut liberentur ꝓxie gaole dñi Regis in ptib; illis, & a Vic̃ seu custode ejusdem gaole recipiant[r] & mancipentur carc̃i in ferris sub bona custodia, & in illa prisona remaneant de suo ꝑp⁹o viventes, quousq; dñis suis de arreragiis plenarie satisfecĩnt. Attamen si quis sic gaole liberatus, conqueratur qđ auditores compoti ipm injuste g[a]vaverunt, oñando de receptis que non recepit, vel non allocando expensas aut liac̃ones racionabiles, & inveniat amicos qui eū manucape voluerint ad ducendum coram Baronib; de Sc[a]cio, liet̃ur eis; et scire faciat Vic̃ in cuj⁹ p[s]ona fuerit dño qđ sit coram Baronib; de Sc[a]cio ad aliquem ꝺtum diem, cum rotul & talliis ꝑ quos compotum reddiderit, & in ꝑsencia Baronū vel auditoꝝ, quos assignare volũint recitet[r] compot⁹ & fiat ptib; justitia, Ita qđ si fuĩt in arreragiis cõmittat[r] gaole de Flete ut sup[a]dĉm est. Et si [defugĩt[8]] & gratis compotum reddere [noluerit,[9]] sicut alibi in aliis statutis continetur, [distringatur[10]] ad veniendū coram Justic̃ ad compotū suū reddend, si ħeant ꝑ quod distringi possint.

[1] illi *Reg. A: Lib. Horn.* [2] ħet *Reg. A.*

[3] In the Printed Copies these Words form the concluding part of the preceding Sentence.

[4] non *Printed Copies.* [5] quo *Reg. A.*—quib; *Rot. Bodl.*

[6] impl̃itant[r] *Reg. A.*

[7] si sint *Reg. A.*—quin sint *Printed Copies.*

[8] defugint *Reg. A.* [9] nolũint *Reg. A.* [10] distr̃ng[a]nt[r] *Reg. A.*

Et si ad curiam venīnt dentur auditores compoti, coram quib3 si fuerint in arrerag̃, si statim arreragia solvere non possint cōmittant' gaol custod in forma p̄dča. Et si defug̃it & testatū fuerit p Vič qđ non
M. 44. sunt inventi exigantur de Comitatu in Comitatū quousq; utlagent' & sint hujusmodi incarc̄ati irreplegiabiles. Et caveat sibi Vič vel custos ejusdem gaole, sive sit in lib̄tate sive non, qđ p comūne breve quod dicit' Replegiar̃ vel alio modo sine assensu Dñi, iꝑm a prisona exire non pmittat, quod si fec̄it, & sup hoc convincat', respondeat Dño de dampno p hujusmodi v̄ientem sibi illato, sc̄dm qđ p p̄riam verificare po̅it & (1) ħeat suū recupare p breve de debito. Et si custos gaole non ħeat p quod justicietur vel unde solvat, respondeat supior suus, qui custodiam huj9-modi gaole sibi cōmisit p idem breve.

Quia multi p maliciam volentes alios gravare p̄curant falsa appella fieri, de homicidio & aliis feloniis, p appellatores nichil ħentes unde Dño Regi p falso appello nec appellatis de dampnis respondere possunt; Statutū est qđ cum [ali--2] sic appellatus de felonia sibi impōita se acquietav̄it in curia Regis modo debito, vel ad sec̄tam appellatoris vel Dñi Regis, Justič, coram quib3 auditum erit huj9modi appellū & t̄minatum, puniant appellatorem p prisonam unius [--3] & n'omin9 restituant hujusmodi appellatores appellatis dampna sc̄dm discrec̄ōm Justič, ħito respectu ad prisonam vel arrestac̄ōm, quam occ̄one huj9modi appellor̄ sustinuerunt appellati, & ad infamiam, quam p imp'sonamentum vel alio modo incurrerunt, & n'omin9 versus Dñm Regem gravius redimant'. Et si forte hujusmodi appellatores non ħeant unde predča dampna restituere possint, inquirat' p quor̄ abettum formatum fuit huj9-modi appellum p maliciam, si appellatus hoc petat, et si inveniatur p illam inquisic̄ōm qđ aliquis sit abettator p maliciam, p breve de judicio ad sec̄tam appellati, distringatur ad veniendū coram Justič, et si legitimo modo convictus fuit de huj9modi abetto p maliciam, puniatur p prisonam & ad restitutōm dampnor̄ sicut supius d̄c̄um est de appellatore. Nec jaceat de cet̄o appellatori in appello de morte hōis essoñ, in quacūq; curia appellū fuit t̄minandum.

Quia Vič fingentes multociens coram eis aliquos in turnis suis indictatos de furtis & aliis malefactis, capiunt homines non culpabiles nec legitimo modo indictatos & eos imp'sonant, & ab eis pecuniam extorquent, cum legitimo modo p duodecim juratos non fuerunt indictati; Statutum est qđ vič in turnis suis & alibi, cum inquirere ħeant de malefc̄oribz p p̄ceptum Regis vel ex officio suo, p legales hōies, ad minus duodecim, faciant inquisic̄ones suas de hujusmodi malefc̄oribz, qui inquisic̄oib3 suis sigilla sua apponant, & illos quos p hujusmodi inquisic̄oes invenīnt culpabiles, capiant & imprisonent sc̄dm qđ alias fieri consuevit: et si alios imp'sonav̄int, q'm p huj9modi inquisic̄ones [invenīnt4] indictatos, ħeant huj9modi inprisonati acc̄ōm suam p breve de inp'sonañto versus Vič sicut ħerent versus q'mcūq; aliam p̄sonam que eos imprisonaret sine waranto; & sicut d̄c̄um est de Vič observetur de quolibet ballio lib̄tatis.

Cum de vasto fc̄o in hereditate alicuj9 p custodes, tenentes in dotem, p legem Angl, vel aliter ad t̄minū vite consuev̄it fieri breve de p̄hibic̄one vasti, p quod breve multi fuerunt in errore, credentes qđ illi qui vastū fecerunt

[1] dominus *Printed Copies.* [2] aliquis *Reg. A.*
[3] anni *Reg. A.* [4] *Reg. A.* omits.

And when he cometh to the Court, Auditors shall be assigned to take his Accompt, before whom if he be found in Arrearages, and cannot pay the Arrearages forthwith, he shall be committed to the Gaol to be kept in Manner aforesaid. And if he flee, and it be returned [to[1]] the Sheriff that he cannot be found, Exigents shall go against him from County to County, until he be outlawed, and such Prisoner shall not be replevisable. And let the Sheriff or Keeper of such Gaol take heed, if it be within a Franchise, or without, that he do not suffer him to go out of Prison by the common Writ called Replegiare, or by other means, without assent of his Master; and if he do, and thereof be convict, he shall be answerable to his Master of the Damages done to him by such his Servant, according as it may be found by the Country, and (2) shall have his Recovery by Writ of Debt. And if the Keeper of the Gaol have not wherewith he may be justified, or [not able[3]] to pay, his Superior, that committed the Custody of the Gaol unto him, shall be answerable by the same Writ.

An Exigent against an Accomptant.

The Sheriff or Gaoler answerable on the Escape of an Accomptant.

XII. Punishment of an Appellor for a false Appeal.

FORASMUCH as many, through Malice intending to grieve other, do procure false Appeals to be made of Homicides and other Felonies by Appellors, having nothing to satisfy the King for their false Appeal, nor to the Parties appealed for their Damages, It is ordained, That when any, being appealed of Felony surmised upon him, doth acquit himself in the King's Court in due Manner, either at the Suit of the Appellor, or of our Lord the King, the Justices, before whom the Appeal shall be heard and determined, shall punish the Appellor by a Year's Imprisonment, and the Appellors shall nevertheless restore to the Parties appealed their Damages, according to the Discretion of the Justices, having respect to the Imprisonment or Arrestment that the Party appealed hath sustained by reason of such Appeals, and to the Infamy that they have incurred by the Imprisonment or otherwise, and shall nevertheless make a grievous Fine unto the King. And if peradventure such Appellor be not able to recompense the Damages, it shall be inquired by whose Abetment or Malice the Appeal was commenced, if the Party appealed desire it; and if it be found by the same Inquest, that any Man is Abettor through Malice, at the Suit of the Party appealed he shall be distrained by a judicial Writ to come before the Justices; and if he be lawfully convict of such malicious Abetment, he shall be punished by Imprisonment and Restitution of Damages, as before is said of the Appellor. And from henceforth in Appeal of the Death of a Man there shall no Essoin lie for the Appellor, in whatsoever Court the Appeal shall hap to be determined.

A Year's Imprisonment.

Inquiry of Abettors, of Appeals and their Punishment.

No Essoin for the Appellor.

XIII. Sheriffs imprisoning others for Felony, &c. without an Inquest shall be liable to Action for false Imprisonment.

FORASMUCH as Sheriffs, feigning many Times certain Persons to be indicted before them in their Turns of Felonies and other Trespasses, do take Men that are not culpable nor lawfully indicted, and imprison them, and do exact Money from them, whereas they were not lawfully indicted by twelve Jurors; It is ordained, That Sheriffs in their Turns, and in other Places [where they have Power[4]] to enquire of Trespassors by the King's Precept, or by Office, shall cause their Inquests of such Malefactors to be taken by lawful Men, and by Twelve at the least, which shall put their Seals to such Inquisitions; and those that shall be found culpable by such Inquests, they shall take and imprison, as they have used aforetimes to do: and if they do imprison other than such as have been indicted by Inquest, the Parties imprisoned shall have their Action by a Writ of Imprisonment against the Sheriffs, as they should have against any other Person that should imprison them without Warrant; and as it hath been said of Sheriffs, so shall it be observed of every Bailiff of Franchise.

XIV.

WHEREAS for Waste done in the Inheritance of any Person, by Guardians, Tenants in Dower, Tenants by the Courtesie of England, or otherwise for Term of Life, [or Years,] a Writ of Prohibition of Waste hath been used to be granted, by which Writs many were deceived, thinking that such as had done the Waste

[1] by [2] *the Master*
[3] *wherewithall* [4] *when they have*

The Process in an Action of Waste.

should not need to answer but only for Waste done after the Prohibition to them directed; Our Lord the King, to remove from henceforth this Error, hath ordained, That of all Manner of Waste done to the Damage of any Person, there shall from henceforth be no Writ of Prohibition awarded, but a Writ of Summons, so that he of whom Complaint is shall answer for Waste done at any Time; and if he come not after the Summons, he shall be attached, and after the Attachment he shall be distrained; and if he come not after the Distress, the Sheriff shall be commanded that in proper Person he shall take with him twelve, &c. and shall go to the Place wasted, and shall inquire of the Waste done, and shall return an Inquest, and after the Inquest returned, they shall pass unto Judgement, like as it is contained in the Statute of Gloucester.[1]

A Writ of Inquiry of Waste.

XV. Infants eloined may sue by Prochein Amy.

IN every Case whereas such as be within Age may sue, It is ordained, That if such within Age be eloined, so that they cannot sue personally, their next Friends shall be admitted to sue for them.

XVI. Priority of Feoffment giveth Title of Wardship.

IN case where Inheritance descendeth to one within Age of the Father's side, that held of one Lord, and the Mother's side that held of another Lord, there hath been hitherto Doubt, for the Marriage of such an Heir, to which of the two Lords it should belong; It is agreed, That the same Lord shall from henceforth have the Marriage of whom the Child's Ancestor was first infeoffed, not having respect to the Sex, nor to the Quantity of the Land, but only to the more ancient Feoffment by Knights Service.

XVII. Of the Essoin De malo lecti.

IN the Circuit of the Justices an Essoign De malo lecti shall not be from henceforth allowed for Lands in the same Shire, unless he that caused himself to be essoined be sick indeed; for if the Demandant except, that the Tenant is not sick, nor in such Plight but that he may come before the Justices, his Exception shall be admitted. And if it can be so proved by Enquest, the Essoign shall be turned to a Default: And from henceforth such Essoin shall not lie in a Writ of Right between two claiming by one Descent.

XVIII. Execution either by levying of the Lands and Goods, or by Delivery of Goods and Half the Land; at the Choice of the Creditor.

WHEN Debt is recovered or knowledged in the King's Court, or Damages awarded, it shall be from henceforth in the Election of him that sueth for such Debt or Damages, [to have a Writ of Fieri facias unto the Sheriff for to levy the Debt[2]] of the Lands and Goods; or that the Sheriff shall deliver to him all the Chattels of the Debtor, saving only his Oxen and Beasts of his Plough, and the one half of his Land, until the Debt be levied upon a reasonable Price or Extent: And if he be put out of that Tenement, he shall recover by a Writ of Novel disseisin, and after by a Writ of Redisseisin, if need be.

XIX. The Ordinary chargeable to pay the Debts of an Intestate.

WHEREAS after the Death of a Person dying intestate, which is bounden to some other for Debt, the Goods come to the Ordinary to be disposed; the Ordinary from henceforth shall be bound to answer the Debts as far forth as the Goods of the Dead will extend, in such sort as the Executors of the same Party should have been bounden, if he had made a Testament.

XX. The Tenant's Answer in a Writ of Cosinage, Aiel, and Besaiel.

WHEREAS that Justices in a Plea of Mortdauncestor, have used to admit the Answer of the Tenant, that the Plaintiff is not next Heir of the same Ancestor, by whose Death [he demandeth the Land, and is ready to enquire the same[3]] by Assise; It is agreed, That in Writs of Cosinage, Aiel, and Besaiel, which be of the same Nature, [his[4]] Answer shall be admitted and [enquired[5]] and according to the same Inquisicion they shall proceed to Judgement.

XXI. *Stat. Glouc.* 6 *Ed. I. c.* 4.

WHEREAS in a Statute made at Gloucester, it is contained, That if any lease his Land to another to pay the Value of the fourth Part of the Land, or more, the Lessor, or his Heir, after the Payment hath ceased by

[1] See Stat. Gloucester, 6 E. I. c. 5.
[2] *to sue out a Writ that the Sheriff cause them to be made*
[3] *the Land is demanded, and to enquire of the same*
[4] the same [5] *enquiry shall be made*

non ſuerunt necesse respondere nisi tantum de vasto fčo post ꝓhibičõm eis directam, Domin⁹ Rex ut huj⁹-modi error deceꝯo tollat[r] statuit qđ de vasto quocūq; modo ad nocumentū alicuj⁹ fčo non fiat deceꝯo breve de ꝓhibičõe, set breve de sūmonič̃õe, ita qđ ille de quo querit[r] respondeat de vasto fčo quocūq; tempe. Et si post sūmonič̃õm non veñit, attachiet[r], & post attachiamentū distringatur; Et post districčõm si non veñit, mandet[r] vič̃, qđ in ꝑp⁹a ꝑsona assumptis secum duodecim, &c. accedat ad locum vastatum, & inquirat de vasto fčo, & returnet inquisič̃õm, et postq̃m retornata fuit inquisicio ꝓcedat[r] ad judiciū, sčđm qđ continet[r] in statuto prius edito apud [Westm̃.[1]]

In oñi casu quo minores infra etatem [implacitari[2]] possunt, concessum est, qđ si hujusmodi minores elongati sint, quo minus ꝑsonaliter sequi possint, ꝓpinquiores amici admittant[r] ad sequendum ꝑ eis.

In casu quo alicui minori descendatur hereditas ex ꝑte ꝑris qui tenuit de uno dño, & ex ꝑte mꝛris, que tenuit de alio dño, dubitacio hucusq; extitit de maritagio huj⁹modi minoris, ad quem de duob⁹ dñis ꝑtineat; Concordatū est de ceꝯo qđ ille dñs ħeat maritagiū, de quo antecessor suus prius fuit feoffatus, non ħito respectu ad sexū nec ad quantitatem teñ, set solūmodo ad antiquius feoffamentū ꝑ ꝟviciū militare.

In Itiñe Justič̃ non admittatur deceꝯo essoñ de malo lecti de teñ in eodem Com̃, nisi ille qui se facit essoniare veraciter sit infirmus; quia si excipiatur a petente qđ tenens non est infirm⁹ n[c] in illo statu [quo venire potuit[3]] coram Justič̃, admittat[r] ejus calumpnia, et si hoc ꝑ inquisič̃õm convinci poꝯit vertatur illud essoniū in defaltam: n[c] jaceat deceꝯo illud essoniū in bꝛi de Recto inꝯ duos clamantes ꝑ unum descensum.

Cum debitum fuerit recupatum vel in curia Regis recognitum, vel dampna adjudicata, sit deceꝯo in elecč̃one illius qui sequit[r] ꝑ hujusmodi debito aut dampnis, sequi breve, qđ Vič̃ fieri faciat de terris & catall, vel qđ Vič̃ liberet ei oñia catalla debitoris, exceptis bobus & affris caruce & medietate terre sue, quousq; debitum fuit levatum ꝑ racionabile ꝑcium vel extentam: et si eiciatur de illo teñ, ħeat recupare ꝑ bre Nove disseiꝛe & postea ꝑ breve redisseiꝛe si necesse fuit.

Cum post mortem alicujus decedentis intestati & obligati aliquib⁹ in debito, bona deveniant ad ordinarios disponenda, obligetur deceꝯo Ordinarius ad respondendum de debitis, quatenus bona defuncti sufficiunt, eodem modo quo executores hujusmodi respondere tenerent[r] si testamentum fecisset.

Cum Justič̃ in placito Mortis antecessoris admitt̃e consueverint responsionem tenentis, qđ petens non est ꝓpinquior heres antecesso⁹ de cujus morte teñ petit[r] & hoc (4) ꝑ ass[a]m inquirere, concordatum est qđ in brevib⁹ de consanguinitate, avo, & ꝑavo, [& [5]] que sunt ejusdem nature, admittatur illa responsio & inquiratur & sčđm illam inquisič̃õm ad judiciū ꝓcedat[r].

Cum in statuto edito apud Glouč̃ contineatur qđ si quis dimiserit terram alicui, ad reddendū valorem quarte ꝑtis teñ vel majoris, ħeat ille qui dimisit vel ejus heres, postq̃m fuerit a soluč̃one cessatum ꝑ bienniū, acčõm

[1] Gloucestr̃ *Rot. Bodl.* [2] implacitare *Reg. A.*
[3] q'n venire potuit *Rot. Bodl.*
quo venire nō nō potuit *Reg. A.*
quo venire non potuit *Lib. Horn: Lib. Rub. Scac. Dubl.*
quo minus venire potuit *Printed Copies.*
[4] pat⁹ est *Rot. Bodl.* [5] *Reg. A.* omits.

petendi teñ sic dimissum in dñico; eodem modo concordatum est qđ si quis detineat Dño suo ꝟviciū debitum vel [consuetuđ'] ꝑ bienniū, ħeat Dñs acc̃ōm petendi teñ in Dñico ꝑ tale breve: Precipe A. qđ juste &c. reddat B. tale teñ quod [C.[2]] de eo tenuit ꝑ (3) ꝟviciū, & quod ad ꝑdc̃m B. reu̇ti debet, eo qđ ꝑdc̃us A. in faciendo ꝟviciū ꝑdc̃m ꝑ bienniū cessavit ut dicit. Et non solū in isto casu, set in casu de quo fit mencio in ꝑdc̃o statuto Glouc̃, fiant brevia de Ingressu heredi petenti sup heredem tenentis & sup eos quib; alienatum fuerit huj⁹modi teñ.

Cum duo vel plures teneant Boscum, Turbariam, Piscariam vel alia hujusmodi in cōi, absq; hoc qđ aliquis sciat suū sepale, & aliquis eo; faciat vastum cont[a] voluntatem alt̃ius, moveatur accio ꝑ breve de Vasto; & ħeat defendens cum ad judiciū veñit elecc̃ōm capiendi ꝑtem suam in c̃to loco ꝑ Vic̃, & visum & sacr̃m & assignac̃ōm vicinoꝝ ad hoc el̃coꝝ & juratoꝝ, vel qđ concedat qđ nichil capiet dece⁹o in huj⁹modi bosco, Turbar̃ & aliis nisi scđm qđ ꝑticipes sui cape voluerint; & si eligat cape ꝑtem suam in c̃to loco assignet[r] ei in sua ꝑte locus vastat⁹ sc̃dm qđ fuit anteq[a]m vastū fecit. Br̃e in hoc casu: Cum A. & B. teneant boscū ꝑ indiviso, B. fecit vastum, &c.

Habeant dece⁹o executores breve de Compoto [reddendo,[4]] & eandem acc̃ōm & processum ꝑ illud breve, qualem ħuit mortuus, & ħret si vixisset.

In casibus quib; concedit[r] breve in Cancellaria de fc̃o alicuj⁹ dece⁹o non recedant querentes a curia Regis sine remedio, ꝑ eo qđ teñ transfert[r] de uno in aliū & in registro de Cancellaria non est inventū aliquod breve in illo casu sp̃ale, sicuti de domo, muro, m̃cato, conceditur breve sup eū qui levavit, et si t[a]nsferatur domus, mur⁹, & hiis consimilia, in aliam ꝑsonam breve denegatur; set dece⁹o cum in uno casu concedit[r] breve & in consimili casu simili remedio indigente sicuti p'us fit breve: Questus est nobis A. qđ B. injuste, &c. levavit domū, murū, mercatum, & alia que sunt ad nocumentū: Si hujusmodi levata t[a]nsferantur in aliam ꝑsonam dece⁹o fiat breve sic: Questus est nobis A. qđ B. & C. levaverunt, &c; eodem modo, sicut ꝑsona alicujus ecclie recupare potest cōmuniam pasture ꝑ breve Nove disseiē, eodem modo dece⁹o recupet successor sup disseisitorē vel ejus heredem, ꝑ breve qđ ꝑmittat, licet hujusmodi breve prius a Cancellaria non fuit concessum. Eodem modo sicut concedit[r] breve utrum aliquod teñ sit libera elemosina alicujus ecclie, vel laicum feodum talis, dece⁹o fiat breve utrum sit libera elemosina talis ecc̃ie, vel alterius ecclie, In casu quo libera elemosina unius ecclie t[a]nsfertur in possessionem alterius ecc̃ie.

Et q°cienscūq;, dece⁹o eveñit in Cancellaria qđ in uno casu repitur breve, & in consimili casu cadente sub eodem jure & simili indigente remedio, (5) concordent

{ altered on the Roll apparently from 'consuetum.'
{ consuetudinē *Reg. A.*—consueē *Rot. Bodl.*

[2] A. *Rot. Bodl.* [3] tale *Reg A.*

[4] Interlined on the Roll: *Reg. A.* omits.

[5] non reperitur *Printed Copies.*

two Years, shall have an action to demand the Land so leased in demean: In like manner It is agreed, that if any with-hold from his Lord his due and accustomed Service by two Years, the Lord shall have an Action to demand the Land in demean by such a Writ; [Præcipe A. quod juste, &c. reddat B. tale tenementum quod A. de eo tenuit per tale servitium, & quod ad prædictum B. reverti debet, eo quod predictus A. in faciendo prædictum servitium, per biennium cessavit, ut dicitur.'] And not only in this Case, but also in the Case whereof Mention is made in the said Statute of Gloucester, Writs of Entry shall be made for the Heir of the Demandant against the Heir of the Tenant, and against them to whom such Land shall be aliened.

Writ of Cessavit for Services in Arrear.

For the Heir against Heir, or Alienee.

XXII. Waste between Jointenants, and Tenants in Common.

WHEREAS two or more do hold Wood, Turf-land, or Fishing, or other such thing in common, wherein none knoweth his several, and some of them do Waste against the Minds of the other, an Action may lie by a Writ of Waste; and when it is come unto Judgement, the Defendant shall choose either to take his Part in a Place certain, by the Sheriff, and by the View, Oath, and Assignment of his Neighbours, [sworn and tried [2]] for the same Intent, or else he shall grant to take nothing from henceforth in the same Wood, Turf-land, and such other, but as his Partners will take; and if he do choose to take his Part in a Place certain, the Part wasted shall be assigned for his Part, [as it was [3]] before he committed the Waste. And [there is such a Writ [4]] in this Case, that is to say; [Cum A. & B. tenent boscum pro indiviso, B. fecit vastum, &c.[5]]

XXIII. Writ of Accompt, for Executors.

EXECUTORS from henceforth shall have a Writ of Accompt, and the same Action and Process, in the same Writ, as the Testator [might have had [6]] if he had lived.

XXIV. Writs in consimili Casu.

IN Cases whereas a Writ is granted out of the Chancery for [the Fact of another,[7]] the Plaintiffs from henceforth shall not depart from the King's Court without Remedy, because the Land is transferred from one to another, and in the Register of the Chancery there is no special Writ found in this Case; as of a House, a Wall, a Market, [but the Writ is granted [8]] against him that levied [the Nusance]; and if the House, Wall, or such like be aliened to another, the Writ [shall not be denied [9]]; but from henceforth, where in one Case a Writ is granted, in like Case, [when like Remedy falleth, the Writ shall be made as hath been used before.[10]] [Questus est nobis A. quod D. injuste, &c. levavit domum, murum, mercatum, & alia quæ sunt ad nocumentum, &c.[11]] And if such Things levied be aliened from one to another, the Writ shall be thus: [Questus est nobis A. quod B. & C. levaverunt, &c.[12]] In like Manner, as a Parson of a Church may recover Common of Pasture by Writ of Novel Disseisin, likewise from henceforth his Successor shall have a Quod permittat against the Disseisor or his Heir, though a like Writ were never granted out of the Chancery before. And in like Manner, as a Writ is granted to try whether Land be the free Alms of such a Church, or the Lay Fee of such a Man, even so from henceforth a Writ shall be made to try whether it be the free Alms of this Church, or of another Church, in case where the free Alms of one Church is transferred to the Possession of another Church.

Quod permittat by Successor of a Parson.

Juris utrum by one Church against another.

And whensoever from henceforth it shall fortune in the Chancery, that in one Case a Writ is found, and in like Case falling under like Law, and requiring like Remedy, is found none, the Clerks of the Chancery

The Clerks in Chancery shall devise Writs in consimili casu.

[1] *Command A. that justly, &c. he render to B. such a Tenement, which A. holdeth of him by such a Service, and which to the aforesaid B. ought to revert, for that the aforesaid A. in doing the aforesaid Service, for two Years, hath failed; as is said.*

[2] *chosen and sworn* [3] after as it was

[4] *the Writ is such*

[5] *Whereas A. and B. hold Wood undividedly, B. hath done Waste, &c.*

[6] had and should have, [7] an act by one Man,

[8] there is a Writ granted [9] *is denied*

[10] when the like remedy is needful, as in the case before, a Writ shall be made:

[11] *A. hath complained unto us, that B. unjustly, &c. hath levied a House, Wall, Market, and other things which are to the Nuisance, &c.*

[12] *A. hath complained unto us, that B. and C. have levied, &c.*

shall agree in making the Writ, or [the Plaintiffs may adjourn it [1]] until the next Parliament, and [let the Cases be written [2]] in which they cannot agree, and [let them refer themselves until [3]] the next Parliament ([4]) by Consent of Men learned in the Law, a Writ shall be made, lest it might happen [after [5]] that the Court should long time fail to minister Justice unto Complainants.

XXV. Of what Things an Assise of Novel disseisin shall lie, whereof it lay not before.

FORASMUCH as there is no Writ in the Chancery whereby Plaintiffs can have so speedy Remedy, as by a Writ of Novel disseisin; Our Lord the King, willing that Justice may be speedily ministred, and that Delays in Pleas may be taken away or abridged, granteth that a Writ of Novel disseisin shall hold place in more Cases than it hath done heretofore; and granteth, that for Estovers of Wood, Profit to be taken in Woods by gathering of Nuts, Acorns, and other Fruits, for a Corody, for Delivery of Corn and other Victuals and Necessaries to be received yearly in a Place certain, Toll, Tronage, Passage, Pontage, [Pawnage,] and such like, to be taken in Places certain, keeping of Parks, Woods, Forests, Chases, Warrens, Gates, and other Bailiwicks, and Offices in Fee, from henceforth an Assise of Novel disseisin shall lie; and in all Cases afore rehearsed, according to the accustomed Manner, the Writ shall be De libero tenemento; and as before times it hath lien and holden Place in Common of Pasture, so shall it from henceforth hold Place in Common of Turf-land, Fishing, and such like Commons, which any Man hath appendant to Freehold, or without Freehold by special Deed, at the least for Term of Life. In case also when any holding ([6]) for Term of Years, or in Ward, alieneth the same in Fee, and by such Alienation the Freehold is transferred to the Feoffee, the Remedy shall be by a Writ of Novel disseisin, and as well the Feoffor as the Feoffee shall be had for Disseisors, so that during the Life of any of them the said Writ shall hold place; and if by the Death of the Parties, Remedy happen to fail by that Writ, then Remedy shall be obtained by a Writ of Entry. And albeit that above mention is made of some Cases wherein a Writ of Novel disseisin held no Place before, let no Man think therefore that this Writ lieth not now where it hath lien before; and though some have doubted whether a Remedy be had by this Writ in case where one feedeth in the Several of another, let it be had for certain, that a good and a sure Remedy is given in that Case by the said Writ. And let them which be named Disseisors beware from henceforth that they alledge not false Exceptions, whereby the taking of the Assise may be deferred, saying, that another Time an Assise of the same Land passed between the same Parties, or saying, and falsly, that a Writ of more high Nature hangeth between the same Parties for the same Land, and upon these and like Matters do vouch Rolls or Records to Warranty, to the end that by the same vouching they may take away the Vesture, and receive the Rents and other Profits, to the great Damage of the Plaintiff. And where before none other Pain was limited against him that falsly had alledged such untrue Exceptions, but only that, after such false Surmises disproved, the Assise should pass; our Lord the King, to whom such false Exceptions be odious, hath ordained, That if any being named Disseisor do personally alledge the Exception at the Day to him given, if he fail of the Warranty that he hath vouched he shall be adjudged for a Disseisor without taking of the Assise, and shall restore the Damages before inquired of, or to be inquired after, to the Double, and shall nevertheless have a Year's Imprisonment for his Falshood. And if that Exception be alledged by a Bailiff, the taking of the Assise shall not be delayed therefore, nor the Judgement upon the Restitution of the Lands and Damages; yet nevertheless, that if the Master of such a Bailiff that was absent, come after before the same Justices that took the Assise, and offer to prove by Record or Rolls, that another Time an Assise passed between the

Remedy on Alienation by Tenant for years, or in Ward.

Penalty for failing of an Exception pleaded by Defendant; Double Damages, and Imprisonment.

Proceedings on pleading Exceptions by a Bailiff.

In what Case a Certificate of Assise doth lie.

[1] shall adjourn the Plaintiffs
[2] write the case
[3] refer them to
[4] and
[5] hereafter
[6] *a Tenement*

clici de Cancellaria in brevi faciendo, vel aꝑminent querentes in ꝓximo parleamento, et scribant casus in quibꝫ concordare non possunt, & referāt eos ad proximū ꝑlamentū, & de consensu jurispitoꝝ fiat breve; ne contingat deceꝑo qđ curia diu deficiat querentibꝫ in justicia ꝓquirenda.

Quia non est aliquod breve in Cancellaria ꝑ quod querentes ħient tam festinū remediū sicut ꝑ breve Nove disseīe; Dñs Rex voluntatem ħens ut celeris fiat justicia & dilones in placitis motis amputentr vel abrevientr, concedit qđ breve Nove disseīe locum ħeat in pluribus casibus qm pus ħuit, et concedit, qđ de estoꝑiis bosci, ꝓficuo capiendo in bosco, de nucibꝫ & glande & aliis fructibꝫ colligendis, de corrodio, liꝺacõe bladi, aut alioꝝ victualiū aut necessarioꝝ in ꝺto loco annuatim recipiendoꝝ, tolneto, tronagio, passagio, pontagio, & hiis similibus in ꝺtis locis capiendis, Custodiis parcoꝝ, boscoꝝ, forestaꝝ, chaceaꝝ, warennaꝝ, portaꝝ, & aliis ballis & officiis in feodo, jaceat deceꝑo assīa Nova disseīe, & in oīibꝫ supradčis, modo consueto fiat breve de liꝺo teñ; et sicut pus jacuit & locū ħuit in cōmuna pasture ita deceꝑo locum ħeat in cōmuna turbar, piscar, & aliis cōmunis hiis similibus, quas quis ħet ꝓtinentes ad liberum teñ vel eciam sine teñ ꝑ sꝑale factum ad minus ad ꝑminū vite. In casu eciam quando quis tenens teñ ad ꝑminū annoꝝ, vel in custodia, illud alienat in feodum & ꝑ illam alienaꝺoem tnsfert liꝺum teñ in feoffatum, fiat remedium ꝑ breve Nove disseīe & ħeantur ꝑ disseisitoribꝫ tam ille qui feoffat qm feoffatus, ita qđ vivente altero eoꝝ, locum ħeat predčm breve; Et si ꝑ mortem ꝓsonaꝝ cesset remedium ꝑ ꝑdčm breve fiat remedium ꝑ breve de Ingressu. Et qmvis supius fiat mencio de aliquibꝫ casibus, de quibus locū non ħuit prius breve Nove disseīe, non ꝓꝑ hoc credat aliquis illud breve non competre ubi prius competebat; et licet dubitaꝑint quidam utrum in casu quo quis pascit alterius sepale, fieri poꝑit remediū ꝑ ꝑdčm breve, teneatur ꝑ ꝺto qđ in casu illo ꝑ ꝑdčm breve bonū & certum est remediū. Et caveant deceꝑo qui nōiati sint disseisitores, qđ non ꝓponant falsas excepcones ꝑ quas capcio assīe differatur, dicendo qđ assisa alias tnsivit inꝑ easdem ꝓtes de eodem teñ, vel dicendo & menciendo qđ breve de alciori natura pendet inꝑ easdem ꝓtes de eodem teñ, & sup hiis & consimilibꝫ vocēt rotulos vel recordum ad warantū ut ꝑ illam vocaco̅m asportare possīt vesturam, levare redditus, & alia ꝓficua ad magnū detrimentū querentis. Et quia licet prius aliam penam non ħuit qui hujusmodi falsas excepcones mendaciꝑ ꝓposuit, nisi tantū qđ post mendaciū suū convictū ꝓcessum fuit ad capco̅m assīe, Dominꝰ Rex, cui odiose sunt hujusmodi false excepcones, statuit qđ si quis disseisitor nōiatus ꝓsonaliter ꝓponat illam excepco̅m, ad diem sibi datum, si defecerit de waranto qđ vocavit, ħeatr ꝑ disseisitore absq recognico̅ne assīe, & restituat dampna ipius, prius inquisita, vel post inquirenda in duplo, et nomin ꝰ ꝑ falsitate sua puniatur ꝑ prisonam unius anni. Et si illa excepcio ꝓponatur ꝑ ballīū non ꝓꝑ hoc differatur capcio assīe & judicium sup restituco̅m teñ & dampnoꝝ; Ita tamen qđ si dñs illius Balli, qui absens fuerit postmodum veniat coram Justic qui assm cepint, & offerat verificare ꝑ recordum vel rotulos qđ assīa alias tnsivit, de eodem

teñ inꝑ easdem ꝑtes, vel qđ querens alias se retraxerit de consimili brevi, vel placitum pendet ꝑ breve de alciori natura, fiat ei breve de faciendo venire sup hoc recordum; Et cum illud ħuit et [videat[1]] Justič qđ recordum ita [ei[2]] missum valeret ante judiciū, qđ ꝑ illud excluderet' querens ab accōne sua, statim fač Justič scire ꝑti que prius recupavit qđ sit ad ꝯtum diem, ad quem reħeat defendens seisinam suam & dampna si que p'us solvit ([3]) post primū judiciū redditum, que ei restituant' in duplo ut supradčm est, & n'omin⁹ puniat' ille qui primo recupavit ꝑ p'sonam sčđm discrečōm Justič. Eodem modo si defendens, cont^a quem t^nsivit assīa in sua absencia ostendat cartas vel quietas clamancias sup quaꝝ confecčōne non fuerunt juratores examinati nec examinari poꝑunt, ꝑ eo qđ de eis non fiebat mencio in placitando, & ꝓbabiliter ignorare poꝑunt confecčones hujusmodi scriptoꝝ, Justiciaꝛ visis scriptis illis, faciat scire ꝑti que recupavit, qđ sit ad certum diem, & venire fač juꝛ illius assīe, & si ꝑ veredčm juꝛ vel forte ꝑ irrotulamentū scripta illa verificaverit puniatur ille qui afs^m [ꝑpet^vit[4]] cont^a fčm suū ꝑ penam supradčam. ¶ Et non capiat deceꝑo Vič bovem a disseisito, set a disseisitore tantū, set si plures sint disseisitores in uno brevi nōiati n'omin⁹ de uno bove sit content⁹; nec exigat bovem nisi de ꝑcio quinq, solidoꝝ & quatuor denaꝛ, vel ꝑcium.

In Brevibꝫ de Redisseisina adjudicent' deceꝑo dampna in duplo, & sint redisseisitores deceꝑo irreplegiabiles ꝑ cōe breve; et sicut in statuto de m̄toñ ꝓvisum fuit illud breve de hiis qui disseisiti fuerunt postq^m recup^averunt ꝑ assīas Nove disseīe, Mortis antecessoris, aut ꝑ alias juꝛ, ulteri⁹ ħeat deceꝑo illud breve locum illis qui recupaverunt ꝑ defaltam, reddičōm, vel alio modo sine recognicčone assīaꝝ vel juratāꝝ.

Postq^m aliquis posuerit se in inquisičōm ad ꝓximū diem allocet' ei essoniū, set ad alios dies sequentes ꝑ essoniū non differatur capcio inquisičōis, sive prius ħuit essoniū sive non; nec admittatur essoniū post diem datum ꝑce pciū in casu quo ꝑtes venire consenciunt sine essonio.

Cum [ꝑ statutum Glouč statuatur[5]] qđ postq^m tenens semel compuerit in curia, non allocet' ei essoniū in brevibus assīaꝝ, eodem modo deceꝑo obs̄vetur de petentibus.

Breve de Transgressione ad audiendum & t̄minandū deceꝑo non concedatur coram aliquibꝫ Justič, exceptis Justič de utroq, Banco, & exceptis Justič itinantibꝫ nisi ꝑ enormi t^nsgressš ubi necesse est festinū apponē remediū, & Diis Rex de sp̄ali gr̄a hoc duxerit concedendum: Nec eciam concedatur deceꝑo breve ad audiend & t̄minand appella coram Justič assigñ nisi in casu speciali & ꝯta causa Dīis Rex hoc ꝑcepit: set ne huj⁹modi appellati vel indictati diu detineant' in p'sona, ħeant breve de Odio & Atya, sicut in Magna Carta & aliis statutis dčm est.

Assignent' deceꝑo duo Justič jurati coram quibꝫ & non aliis capiant' assīe Nove disseīe, Mortis antecessoris & Attincte, & assoč sibi unū vel duos de discreciorib⁹

[1] videant *Rot Bodl.* [2] eis *Rot. Bodl.*
[3] { que habuit *Rot. Bodl.* / p p'mū judiciū, simul cum dampnis que ħuit *Reg. A.: Lib. Horn: Lib. Hub. Scacc. Dubl.*
[4] impet^vit *Reg. A:* inpetravit *Lib. Horn.*
[5] in statuto p'mo Westm̄ nuper statutū sit *Rot. Bodl.*

same Parties of the same Land, or that the Plaintiff at another Time did withdraw his Suit in a like Writ, or that a Plea hangeth by a Writ of more high Nature, a Writ [of Venire facias shall be granted unto him to cause the same Record to be brought;[1]] and when he hath the same, and the Justices do perceive, that the Record so [shewed by him[2]] would have been so available before the Judgement, that the Plaintiff by force of the same should have been barred of his Action, the Justices shall presently cause the Party to be warned that first recovered, that he appear at a certain Day, at the which the Defendant shall have again his Seisin and Damages, if he before paid any by the first Judgement ([3]) given, which shall be restored him to the Double, as before is said; and also he that first recovered shall be punished by Imprisonment according to the Discretion of the Justices.

Proceedings on Deeds not pleaded by reason of Defendant's Absence.

In the same manner if the Defendant, against whom the Assise passed in his absence, shew any Deeds or Releases, upon the making whereof the Jury were not examined, nor could be examined, because there was no mention made of them in pleading, and [by probability[4]] might be ignorant of the making of those Writings; the Justices upon the Sight of those Writings shall cause the Party to be warned that recovered, that he appear at a certain day, and shall cause the Jurors of the same Assise to come; and if he shall verify those Writings to be true by the Verdict of the Jurors, or by Inrollment, he that purchased the Assise contrary to his own Deed, shall be punished by the Pain aforesaid.

Sheriff's Fee.

And the Sheriff from henceforth shall not take an Ox of the Disseisee, but of the Disseisor only; and if there be many Disseisors named in one Writ, yet shall he be contented with one Ox; nor shall receive any Ox but of [v s.[5]] Price, or the Value.

XXVI. Double Damages in Writs of Redisseisin. Writs of Redisseisin on Recovery by Default, &c.

IN Writs of Redisseisin from henceforth double Damages shall be awarded, and the Redisseisors shall not be repleviable hereafter by the common Writ; and like as in the Statute of Merton the same Writ was provided for such as were disseised after they had recovered by Assise of Novel Disseisin, of Mortdauncestor, or other [Jurates;[6]] even so from henceforth the same Writ shall further hold place for them that shall recover by Default, Reddition, or otherwise, without Recognition of Assises or [Jurates.[6]]

XXVII. Essoin after Issue, but none after Day given Prece partium.

AFTER any hath put himself [to an Inquest,[7]] an Essoin shall be allowed him at the next Day; but [all[8]] the other Days following, the taking of the Inquest shall not be delayed by the Essoin, whether he were essoined before, or no; neither shall any Essoin be allowed after Day given Prece partium, in case where the Parties consent to come without Essoin.

XXVIII. *Stat. Westm.* 1. 3 *Ed. I. c* 42. No Essoin for Demandant.

WHEREAS by the Statute of Westminster the First, it was provided, That after the Tenants have once appeared in the Court, no Essoin should be allowed them in Writs of Assises; In like Manner it shall be from henceforth observed against the Demandants.

XXIX. To whom and in what Cases Commissions to hear and determine shall be granted.

A WRIT of Trespass, ad audiendum & terminandum, from henceforth shall not be granted before any Justices, except Justices of either Bench, and Justices in Eyre, unless it be for an heinous Trespass, where it is necessary to provide speedy Remedy, and our Lord the King of his special Grace hath thought it good to be granted. And from henceforth a Writ to hear and determine Appeals before Justices assigned shall not be granted but in a special Case, and for a Cause certain, when the King commandeth.

A Writ of Odio & Atia.

But lest the Parties appealed or indicted be kept long in Prison, they shall have a Writ of Odio & Atia, like as it is declared in Magna Charta and other Statutes.

XXX. Assignment of Justices of Nisi prius.

FROM henceforth Two Justices sworn shall be assigned, before whom, and none other, Assises of Novel disseisin, Mortdauncestor, and Attaints shall be taken, and they shall associate unto them one or two of the

[1] shall be made for him for the same Record,
[2] sent [3] with the Damages also that he hath sustained after the first Judgement
[4] probably they [5] *five shillings and four-pence*
[6] Juries [7] upon Inquest
[8] at

discreetest Knights of the Shire into which they shall come; and shall take the foresaid Assises and Attaints but thrice in the Year at the most; that is to say, first between the Quinzime of Saint John Baptist, and the Gule of August; and the second time, between the Feast of the Exaltation of the Holy Cross, and the Utas of Saint Michael; and the third time, between the Feast of the Epiphany, and the Feast of the Purification of the blessed Mary: and in every Shire at every taking of Assises, before their Departure, they shall appoint the Day of their Return, so that every one of the Shire may know of their coming, and shall adjourn the Assises from Term to Term, if the taking of them be deferred at any Day by vouching to Warranty, by Essoin, or by Default of Jurors: and if they see that it be profitable for any Cause that Assises of Mortdauncestor, being respited by Essoin or Voucher, ought to be adjourned into the Bench, it shall be lawful for them to do it, and then they shall send the Record with the original Writ before the Justices of the Bench; and when the Matter is come to the taking of the Assise, the Justices of the Bench shall remit the Matter to the former Justices before whom the Assise shall be taken. But from henceforth the Justices of the Bench in such Assises shall give four Days at the least in the Year [before the said Justices assigned, for to spare Expence and Labour: Inquisitions of Trespass shall be determined before the Justices of both Benches,[1]] except the Trespass be so hainous that it shall require great Examination: Inquisitions also of other Pleas pleaded in either of the Benches, shall be determined before them, wherein small Examination is required, as when the Entry or Seisin of any is denied, or in case when one Article is to be inquired: but Inquisitions of many and great Articles, the which require great Examination, shall be taken before the Justices of the [Bench,[2]] except that both Parties desire that the Inquisition may be taken afore some of the Associates when they do come into those Parts; [so that from henceforth it[3]] shall not be done but by two Justises, or one with some Knight of the Shire, upon whom the Parties can agree; and such Inquisitions shall not be determined by any Justices of the Bench, unless a Day and a Place certain be appointed in the Shire, in presence of the Parties, and the Day and Place shall be mentioned in a Writ judicial by these Words: [Præcipimus tibi quod venire facias coram Justiciariis nostris apud Westmonasterium in octabis Sancti Michaelis, nisi talis & talis tali die & loco ad partes illas venerint, duodecim, &c.[4]] And when such Inquests be taken, they shall be returned into the [Bench,[5]] and there shall Judgement be given, and there they shall be inrolled. And if any Inquisitions be taken otherwise than after this Form, they shall be of no Effect, except that an Assise of Darrein presentment, and Inquisitions of Quare impedit shall be determined in their own Shire before one Justice of the Bench and one Knight, at a Day and Place certain in the Bench assigned, whether the Defendant consent or not, and there the Judgement shall be given immediately: All Justices of the Benches [from henceforth shall have in their Circuits[5]] Clerks to inroll all Pleas pleaded before them, like as they have used to have in Time passed. And also It is Ordained, That the Justices assigned to take Assises shall not compel the Jurors to say precisely whether it be Disseisin or not, so that they do shew the Truth of the [Deed,[6]] and require Aid of the Justices; but if they of their own head will say, that it is (7) Disseisin, their Verdict shall be admitted at their own Peril. And from henceforth the Justices shall not put in Assises or Juries any other than those that were summoned to the same at the first.

Adjournment of Assises.

Inquisitions of Trespass, &c. may be determined before Justices of Nisi Prius.

The Writ of Nisi prius.

Proceedings after Verdict.

Assises of Darrein presentment and Quare impedit shall be ended in their proper Counties.

Justices shall have their own Clerks.

Special Verdicts.

None shall be put in Juries unless summoned.

XXXI. WHEN one that is impleaded before any of the Justices doth alledge an Exception, praying that the Justices will allow it, which if they will not allow, if he

militibꝫ Com̃ in quem veñint & capiant assïas ꝑdčas & attinctas ad plus ter ꝑ anñ, videlicet semel inꝑ quindenam Sči Johis Baptiste & gulam Augusti & iꝑum inꝑ festum Exaltačõnis Sče Crucis & Octab Sči Michis, & ꝑcio inter festum Epꝑnie & festum Purificačõnis be Marie: et in quolibet Com̃ ad qᵘmlibet capčõm assïaꝝ anteqᵘm recedant, statuant diem de reditu suo, Ita qđ oñes de Com̃ scire possint eoꝝ adventū, et de ꝑmino in ꝑminū adjornent assisas, si ꝑ vocačõm waranti, ꝑ essoñ, ꝑ defčum recognitoꝝ [si[1]] ad unum diem capcio eaꝝ differatur: et si aliqua de causa viderint qđ utile sit qđ assise Mortis antecessoris ꝑ essoniū vel vocačõm waranti respectuate adjornent' in Banco, liceat eis hoc facere, et tūc mittant Justič de Banco recordum cum brevi originali; [Et cū loquela ꝑveniat' ad capcionē assïe remittat' loquela cū brevi originali[2]] ꝑ Justič de Banco ad priores Justič coram quibꝫ capiatur assïa. Set deceꝑo dent Justič de Banco in hujusmodi assisis ad minus quatuor dies ꝑ [annū, coram[3]] ꝑfatis Justič assignī, ut ꝑcat' laboribꝫ & expensis attꝑminent' inquisičõnes capiende de tꝑnsgressionibꝫ placitatis coram Justič de utroq; Banco, nisi ita enormis sit tꝑnsgressio, qđ magna indigeat examinačõne: attꝑminent' eciam coram eis inquisičõnes de aliis placitis placitatis in utroq; Banco in quibꝫ facilis est examinacio, ut quando dedicit' ingressus vel seisina alicujꝰ, vel in casu cum de uno articulo sit inquirend; set inquisičõnes de grossis & pluribꝫ articulis que magna indigent examinačõne, capiant' coram Justič de Bancis, nisi ambe ꝑtes petant qđ inquisicio capiat' coram aliquibꝫ de societate cum in ꝑtes illas veñint, quod deceꝑo non fiat nisi ꝑ duos Justič vel unū cum aliquo milite de Com̃, in quē ꝑtes consenciūt; nec attꝑminent' hujꝰmodi inquisičõnes coram aliquibꝫ Justič de Banco nisi statuantur certus dies & locus in Com̃ in ꝑsencia ꝑciū & dies & locus inserant' in brevi de judicio ꝑ hec verba: Precipimꝰ tibi qđ venire facias coram Justič nñis apud Westm̃ in octab Sči Michis, nisi talis & talis, tali die & loco, ad ꝑtes illas veñint, xij. &c. Et cū hujꝰmodi inquisičõnes capte fuꝝint retornēt' in Bancis, & ibi fiat judiciū & irrotulētur. Et si omissa forma ꝑdča alique inquisiciones capiant', ꝑ nullis ħeantur, excepto qđ assïa Ultime ꝑsentačõis & inquisičões sup Quare impedit attꝑminent' in ꝑpio Com̃ coram uno Justič de Banco & uno milite, ad certos tamen diem & locū in Banco statutos, sive defendens consenciat sive non, & ibi statim reddatur judiciū: ħeant deceꝑo oñes Justič de Bancis [&[4]] Itineribꝫ clicos irrotulantes oñia placita coram eis placitata, sicut antiquitꝰ ħre consueverūt. Itē ordinatū est qđ Justič ad assïas capiendas assignī, non compellant juratores dicere ꝑcise si sit disꝭ vel non, dūmodo volūint dicꝰe veritatem fči, & peꝰe auxiliū Justič; set si sponte velint dicere qđ disseiꝭ est vel non, admittatur eoꝝ veredčm sub suo ꝑiculo. Et deceꝑo non ponant Justič in assïis aut Juꝝ aliquos Juratores nisi eos qui ad hoc primo fuerunt sumōiti.

Cum aliquis implacitatus coram aliquibꝫ Justič ꝓponat excepčõem & petat qđ Justič eam allocent, quam si allocare noluerint si ille qui excepčõem ꝓponet, scribat M. 43.

[1]. Before the said Justices assigned, for to spare expence and labour, shall be determined Inquisitions to be taken of Trespasses pleaded before the Justices of either Bench,

[2] Benches *[3] which from henceforth*

[4] We command thee, to cause to come before our Justices at Westminster, in the Octave of Saint Michael, unless such and such, at such a day and place, come to those parts, Twelve, &c.

[5] and in the Circuits, from henceforth shall have

[6] F. B *[7] or is not*

[1] Old Printed Copies omit this Word. It is interlined in *Lib. Horn.*
[2] Interlined on the Roll.
[3] annū. ¶ Coram *Reg A.*
[4] in *Lib. Rub. Scacc. Dubl: Printed Copies.—Lib. Horn. reads* de banco & in Itinere

illam excepc̃oem & petat qđ Justič apponant sigilla in testimoniū, Justič sigilla sua apponant, Et si unus apponere noluerit, apponat alius de societate. Et si forte ad querimoniam de fc̃o Justič venire faciat Dñs Rex recordum coram eo, & si illa excepcio non inveniatur in rotulo, & querens ostendat excepc̃ōm scriptam cum sigillo Justič appenso, mandetur Justič qđ sit ad certum diem ad cognoscendum sigillum suū vel dedicendum; Et si Justič sigillum suū dedicere non possit, ꝓcedat' ad judiciū scđm illam excepc̃ōm ꝓut admittenda esset vel cassanda.

Cum Viri religiosi & alie ꝑsone eccl̃iastice implacitent aliquem & implacitatus fec̃it defaltam ob quam teñ amittr̃e debeat, quia Justič hucusq; [timuerunt[1]] qđ si implacitatus fec̃it defaltam p collusionē, ut cū petens occ̃one statuti p titulum doni aut alterius alienac̃ōnis seisinam de teñ consequi non posset, p illam defaltam consequeret' & fieret fraus statuto; Ordinatū est p Dñm Regē & concessū, qđ in hoc casu postq'm defalta fc̃a fuit, inquirat' p ꝑiam utrū petens ħeat jus in sua petic̃one aut non. Et si comptum fuit qđ petens jus ħet in sua petic̃one ꝓcedatur ad judiciū p petente & recupet seisinam suam; Et si jus non habuit, incurratur teñ ꝓxīo dñio feodi, si illud [pe - - -[2]] infra annū a tempe inquisic̃ōnis capte; Et si infra annū non petat, supiori dñio incurratur si petat infra dimidiū annū post illū annū; Et sic ħeat quilibet dñs post ꝓximū dñm spacium dimidii anni ad petendū successive, quousq; ꝓveniatur ad Regē, cui ad ultimū p defc̃u alioꝝ dñoꝝ teñ incurratur: et ad calumpniandū juratores inquisic̃ois admittant' quic̃ūq; capitales dñi feodoꝝ, & similiter p Rege qui calumpniare volu̇it; & remaneat terra, postq'm judiciū [clarum[3]] fuit, in manum Dñi Regis, quousq; teñ p petentem vel aliquem capitalem dñm disrōnetur, & o̲netur Vič. ad respondendum inde ad Sc'cium.

Quia multi tenentes erigunt cruces in tenementis suis aut erigi ꝓmittunt, in ꝓjudicium dñoꝝ suoꝝ, ut tenentes p p'vilegium Templaꝝ & Hospič tueri se possint, cont' capitales dños feodoꝝ; statutū est qđ huj̲modi teneñta capitalibꝫ dñis aut Regi incurrant', eodem modo quo statuit' alibi de teneñtis alienatis ad mortuam manum.

[Purveu est que si homme ravist femme, espouse, damoisele, ou autre femme desoremes, par la ou ele ne se est assentue ne avaunt ne apres, eit jugement de vie e de membre; e ensement par la ou homé ravist femme, dame espouse damoisele, ou autre femme a force, tut seit ke ele se assente apres, eit tel jugement come avaunt est dit si il seit ateint a la suite le Rei, e la eit le Rei sa suite.[4]]

De mulieribꝫ abductis cum bonis viri ħeat Rex sectam de bonis sic asportatis; & uꝫ si sponte reliquerit virum suū, & abierit & moretur cum adultero suo, amittat imꝑpetuū acc̃ōm petendi dotem suam, que ei compe̲te posset de teñ viri, si sup hoc convincatur; nisi vir suus sponte, & absq; cohercione ecc̃iastica eam reconciliet & secum cohabitare ꝓmittat, in quo casu restituatur ei accio. Qui monialem a domo sua abducat, licet monialis consenciat puniatur p p'sonam trium annoꝝ, & satisfaciat domui a qua abducta fuit competent̲, & n'omin̲ redimatur ad voluntatem Regis.

[1] tenuerunt *Printed Copies.*
[2] petat *Reg. A.* [3] datum *Reg. A.*
[4] Provisum est eciam qđ si aliquis mulierē sponsatam, puellam, aut aliam quamcūq; decep̲to rapiat, ubi nec ante, nec post consenserit; ħeat judiciū de vita & membris; Preꝑea cum aliquis mulierem sponsatam, puellam aut aliam quamcūq;, vi, ac con' voluntatem ipius rapuerit, licet post consēciat, ħeat tale judiciū ut supradc̃m est si cōvincatur, ad sectam Regis, ibi ħeat Rex sectam suam. *Lib. Cust. London. fo.* 127.

In *MS. Cott. XVI.* this Chapter is in Latin, nearly as above. In *MS. Harl.* 5326, the whole Statute is in French; In *MS. Reg.* 20 *A. VIII.* two Copies of the Statute are given, one wholly in French, and the other in Latin, but with this Chapter in French; *MSS. Harl.* 79, 3824, 5044. contain Abridgements of this Chapter in Latin.
See Note to Chapter 49, page 95.

that alledged the Exception do write the same Exception, and require that the Justices will put to their Seals for a Witness, the Justices shall so do; and if one will not, another of [the Company[1]] shall. And if the King, upon Complaint [made of the Justices,[2]] cause the Record to come before him, and the same Exception be not found in the Roll, and the Plaintiff shew the Exception written, with the Seal of a Justice put to, the Justice shall be commanded that he appear at a certain Day, either to confess or deny his Seal; and if the Justice cannot deny his Seal, they shall proceed to Judgement according to the same Exception, as it ought to be allowed or disallowed.

Proceedings on Bills of Exceptions.

XXXII. Remedy in case of Mortmain under Judgements by Collusion. [*See Statute* 7 *Edw. I. de Viris Religiosis.*]

WHEN Religious Men and other Ecclesiastical Persons do implead any, and the Party impleaded maketh Default, whereby he ought to leese the Land, forasmuch as the Justices have thought hitherto that if the Party impleaded make Default by Collusion, that where the Demandant, by Occasion of the Statute, could not obtain Seisin of the Land by Title of Gift, or other Alienation, [he shall now[3]] by reason of the Default, and so the Statute is defrauded; It is Ordained by our Lord the King, and granted, That in this Case, after the Default made, it shall be inquired by the Country, whether the Demandant had Right in the Thing demanded, or no. And if it be found that the Demandant had Right in his Demand, the Judgement shall pass with him, and he shall recover Seisin: and if he hath no Right, the Land shall accrue to the next Lord of the Fee, if he demand it within a Year from the Time of the Inquest taken; and if he do not demand it within the Year, it shall accrue to the next Lord above, if he do demand it within half a Year after the same Year; and so every Lord after the next Lord shall have the Space of half a Year to demand it successively, until it come to the King, to whom at length, through Default of other Lords, the Lands shall accrue: And to challenge the Jurors of the Inquest, every of the Chief Lords of the Fees shall be admitted, and likewise for the King, they that will shall challenge; and after the Judgement given, the Land shall remain [clear[4]] in the King's Hands, until it be dereigned by the Demandant, or some other Chief Lord, and the Sheriff shall be charged to answer therefore at the Exchequer.

Challenge of the Jurors.

XXXIII. Lands where Crosses be set shall be forfeited.

FORASMUCH as many Tenants set up Crosses, or [cause[5]] to be set up in their Lands, in Prejudice of their Lords, that Tenants should defend themselves against the Chief Lords of the Fee, by the Privileges of Templars and Hospitalers; It is Ordained, That such Lands shall be forfeit to the Chief Lords, or to the King, in the same manner as is provided (6) for Lands aliened in Mortmain.

XXXIV. Judgement of Life and Member for Rape.

IT is Provided, That if a Man from henceforth do ravish a Woman, married, Maid, or other, where she did not consent, neither before nor after, he shall have Judgement of Life and of Member. And likewise where a Man ravisheth a Woman, married Lady, Damosel, or other, with Force, although she consent after, he shall have such Judgement as before is said, if he be attainted at the King's Suit, and there the King shall have the Suit.

Dower forfeited by Elopement with Adulterer.

And of Women carried away with the Goods of their Husbands, the King shall have the Suit for the Goods so taken away. And if a Wife willingly leave her Husband, and go away, and continue with her Advouterer, she shall be barred for ever of Action to demand her Dower, that she ought to have of her Husband's Lands, if she be convict thereupon, except that her Husband willingly, and without Coertion of the Church, reconcile her, and suffer her to dwell with him; in which Case she shall be restored to her Action. He that carrieth a Nun from her House, although she consent, shall be punished by three Years Imprisonment, and shall make convenient Satisfaction to the House from whence she was taken, and nevertheless shall make Fine at the King's Will.

Taking away of a Nun.

[1] *those associated* [2] *of what the Justice hath done*
[3] yet he shall obtain it [4] Not *in Original.*
[5] *permit* [6] *elsewhere*

XXXV. Punishment of him that taketh away a Ward.

CONCERNING Children Males or Females, whose Marriage belongeth to another, taken and carried away, if the Ravisher have no Right in the Marriage, though after he restore the Child unmarried, or else pay for the Marriage, he shall nevertheless be punished for his Offence by two Years Imprisonment. And if he do not restore, or do marry the [Child [1]] after the Years of Consent, and be *not* able to satisfy for the Marriage, he shall abjure the Realm, or have perpetual Imprisonment; and thereupon the Plaintiff shall have such a Writ: [Si A. fecerit te securum de clamore suo, &c. tunc pone per vadium, &c. B. quod sit coram Justiciariis, &c. ostensurus, quare talem hæredem infra ætatem existentem, cujus maritagium ad ipsum pertinet, tali loco inventum rapuit & abduxit contra voluntatem ipsius A. & contra pacem nostram, &c.[2]] And if the Heir be in the same County, then this Clause must be thereto added: [Et diligenter inquiras, ubi ille hæres sit in balliva tua; & ipsum (ubicunque fuerit inventus) capias, & salvo & secure custodias, ita quod eum habeas coram præfatis Justiciariis nostris ad præfatum terminum, ad reddendum cui prædictorum A. vel B. reddi debeat:[3]] and Suit shall be made against the Party on whom Complaint is made, until he come in by Distress, if he have whereby he may be distrained; or else for his Contumacy, in case he be not [justifiable,[4]] he shall be ([5]) outlawed; and if percase the Heir be [married or carried[6]] into another County, then a Writ shall be directed to the Sheriff of the same Shire in this Form: [Questus est nobis A. quod B. nuper talem hæredem infra ætatem & in custodia sua existentem tali loco in comitatu tali rapuit, & de comitatu tali ad talem locum in Com' tuo abduxit contra voluntatem ipsius A. & contra pacem nostram, &c. Et ideo tibi præcipimus, quod prædictum hæredem (ubicunque in balliva tua invenire poteris) capias, & salvo & secure eum custodias, ita quod eum habeas coram Justitiariis nostris, &c. tali die, quem idem A. habet versus prædictum B. ad reddendum cui de jure reddi debeat.[7]] And if the Heir do die afore he can be found, or before he can be restored to the Plaintiff, the Plea shall pass between them nevertheless, until it be tried unto whom he ought to have been restored if he had been living; neither shall the Ravisher of such a one be excused or eased of the Punishment aforesaid by the Death of the Heir, whom he did withhold by wrong during his Life. And if the Plaintiff die before the Plea determined, if the Right belong to him by reason of his proper Fee, the Plea shall be resummoned at the Suit of the Heir of the Plaintiff, and the Plea shall pass in due Order; but if the Right belongeth to him by another Title, as by a Title of Gift, Sale, or other such like, then the Plea shall be resummoned at the Suit of the Executors of the Plaintiff, and the Plea shall pass as before is said. In the same manner if the Defendant die before the Plea be tried, or the Heir be restored, the Plea shall pass by Resummons between the Plaintiff, his Heirs or Executors, and the Executors of the Defendant, or his Heirs, if the Executors be not sufficient, to satisfy for the Value of the Marriage, after as it is contained in other Statutes, but not as to the Pain of Imprisonment, [for[8]] none ought to be punished for the Offence of another. In the same manner when a Plea hangeth between Parties for the Ward of Land, or of an Heir, or of both, by the common Writ that beginneth Præcipe

Writ of Ravishment of Ward.

In the proper County.

Process against an Offender.

Writ, if the Heir be carried into another County.

Death of the Heir before the Suit ended.

Death of the Plaintiff.

Death of the Defendant.

Resummons in communi custodia.

[1] *Heir*

[2] *If A. give thee Surety for prosecuting his claim, then put by Gage, &c. B. that he be before the Justices, &c. to shew, wherefore such an Heir being within Age, whose marriage belongeth to him, in such a place found, he hath ravished and carried away, against the Will of him the said A. and against our peace, &c.*

[3] *And diligently enquire where that Heir may be within thy Bailiwick, and him, wheresoever he shall be found, take, and safely and securely keep, so as to have him before our aforesaid Justices at the Term aforesaid, to render to which of them the aforesaid A. or B. he ought to be rendered.*

[4] *justiciable* [5] *exacted and*

[6] *carried and transferred*

[7] *A. hath complained unto Us that B. of late, such an Heir being within Age and in his Custody at such a place in such a County, did ravish, and from such County to such a place in thy County, did carry away, against the will of him the said A. and against our peace. And therefore We command thee to take the aforesaid Heir, wherever in thy Bailiwick thou canst find him, and him safely and securely keep, so as to have him before our Justices at such a place and day, which day the said A. hath against the aforesaid B., to render to him to whom of right he ought to be rendered.*

[8] *wherewith*

De pueris sive masculis sive femell, quoꝝ maritagium ad aliquem ptineat, raptis & abductis, si ille qui rapuit non ħiens jus in maritagiū, licet postmodum restituat puerum non maritatum, vel de maritagio satisfecit, puniat' tamen p t'nsgressione p p'sonam duoꝝ annoꝝ. Et si non restituit, vel heredem post annos nubiles maritavit & de maritagio satisfacᵉ non potuit, abjuret regnū vel ħeat ppetuam p'sonam, et sup hoc ħeat querens tale breve: Si A. fecit te securū de clam suo proš tunc pone per vadiū, &c. (') qđ sit coram Justič &c. ostenš quare talem heredem infra etatem existentem, cujus maritagium ad ipm ptinet, tali loco inventū rapuit & abduxit, cont' voluntatem ipius A. & cont' pacem nr̄am &c. Et si heres sit in eodem Com̄ tunc addatur ista clausula: Et diligenᵗ inquiras, ubi ille heres sit in ballia tua, & ipm ubicūq, fuit invent' capias, & salvo & secure custodias, ita qđ eū ħeas coram pfatis Justič nr̄is ad pfatum tminū ad reddendum cui pdčoꝝ A. vel B. reddi debeat: & fiat secta vsus ptem de qua querit' quousq, p districčoem venit, si ħeat p quod possit distringi, vel p contumaciam si nō sit justiciabilis exigatur & utlaget'; Si forte hujᵒmodi heres ducatur & t'nsferatur in aliū Com̄ tunc Vič illius Com̄ fiat breve in hac forma: Questus est nob A. qđ B. nup talem heredem, infra etatem & in custodia sua existentē, [---[2]] loco in Com̄ tali rapuit & de Com̄ tali ad talem locum in Com̄ tuo abduxit, cont' voluntatem ipius A. & cont' pacem nr̄am. Et ideo tibi pcipimus qđ pdčm heredem ubicūq, in balliva tua invenire potis capias & salvo & secure eū custodias ita qđ eum ħeas coram Justič nr̄is tali loco & die, quē diem idem A. ħet vsus pdčm B. ad reddendum, cui de jure reddi debeat. Et si heres anteq'm inveniri potit, vel anteq'm restituat' querenti obierit n'ominᵒ pcedat plitum inᵗ eos quousq, tminet' cui restitui deberet si supstes fuisset, nec excusabitur ille aut alleviabitur ille qui injuste rapuit hujᵒmodi heredem de pena supradča post mortē heredis cujᵒ extitit male fidei [posses---[3]] dum vixit. Et si querens obierit ante placitum tminatum, si jus ei competebat rōne pprii feodi sui, resūmoneatur loquela ad sectam heredis querentis & pcedat placitum debito ordine; Si vero p aliū titulum competat ei jus, sicut titulo donacionis, vendicionis vel alio hujᵒmodi titulo, tūc resūmoneatur loquela ad sectam executoꝝ querentis & pcedat plitum ut pdčm est. Eodem modo si moriatur ps defendens anteq'm plitum tminet' vel heres restituatur, pcedat placitum p resūmoničoem inᵗ querentē vel ejus heredem seu executores, & executores defendentis, vel ejus heredem si executores non sufficiant, quoad satisfačom de valore maritagii, šcdm qđ in aliis statutis continet', set non quoad penam p'sone, qua quis p alieno fco non est puniendus. Eodem modo cum pendeat placitū inᵗ ptes de custodia terre, [& [4]] heredis vel utriusq, p cōe bre quod incipit, Precipe tali qđ

[1] B. *Lib. Horn.*

[2] tali

[3] possessor } *Reg. A.*

[4] vt

reddat &c. fiat resūmonicio inꝑ heredes & executores querentis, & similiter heredes aut executores defendentis, si mors alteram ꝑtem ꝑveniat ante ꝑlitum ꝑminatū; & cum ꝑveniat[r] ad magnam districc̄ōm detur ꝑmin⁹, infra quē tres Com̄ teneantur ad min⁹, in quoꝝ quolibet Com̄ fiat publica ꝓclamacio, qđ deforciator veniat ad bancū ad diem in brevi contentū, respons̄ querenti, ad quem diem si non veñit & si ꝓclamacio sic semel sc̄do & ꝑcio testificata fuit, ꝓcedatur ad judiciū ꝑ querente, salvo jure defendentis si postmodum inde loqui volꝑit. Eodem m° fiat in br̄i de t̄nsgressione cū quis querit[r] se ejectum fuisse de huj⁹modi custod̄.

Et quia dñi cur̄ & alii qui cur̄ tenent & senescalli, volentes gravare subditos suos cum non ħeant legalem viam eos gravandi, procurant alios movere querelas versus eos & dare vad̄ & offerre pleg̃, vel impet[a]re br̄ia & ad sectas huj⁹modi querenciū compellunt eos sequi Com̄ Hundr̄ & Cur̄ quousq; finem fec̄int cum ip̄is ꝑ voluntate sua; statutum est qđ decet̄o hoc non fiat. Et si quis ꝑ huj⁹modi falsas querimonias fuit atachiat⁹ replegiat districc̄ōm suam sic captam, & poni faciat loquelam coram Justic̄, coram quib; (1) Vic̄ vel alius Ball̄s vel dñs, postq'm sic districtus formaꝑit querimoniam suam [&[2]] advocaꝑit justam districc̄oem rōne huj⁹modi querimoniaꝝ coram eis fc̄aꝝ, & replicetur qđ huj⁹modi querimonie ꝑsus eos movebantur maliciose ad instanciam seu ꝓcurac̄ōm Vic̄ aut alioꝝ ball̄ioꝝ aut dñioꝝ, admittatur illa replicacio. Et si sup hoc convicti fuint versus Dñm Regem redimant[r] & n'omin⁹ huj⁹modi sic gravatis dampna in triplo restituant.

Quia eciam ball̄i, ad quos ex officio ꝑtinet districc̄ones facere, volentes subditos suos g[a]vare ut ab eis pecuniam extorqueant, mittunt ignotos ad faciend̄ districc̄ões ea intenc̄one ut subditos g[a]vare possint, ꝑ hoc qđ sic districti non ħentes noticiam ꝑsonaꝝ non ꝑmittūt huj⁹modi districc̄ones sup eos fieri; Statutū est qđ nulla districc̄ō fiat nisi ꝑ ball̄ios juratos & notos; & distringentes si alio modo fec̄int & de hoc convicti fuerint, si g[a]vati breve de t̄nsgressione impet[a]verint, restituant gravatis dampna, & versus Regem g[a]viter puniant[r].

Quia eciam Vic̄, Hundr̄, Ball̄i libᵗatum consueverunt g[a]vare subditos suos, ponendo in assisis (3) Jur̄, homines languidos, decrepitos, ꝑpetua vel tempali infirmitate laguentes, homines eciam tempe sūmonic̄ōis sue in p̄ria nō cōmorantes; sūmonendo eciam effrenatam multitudinem Juratoꝝ ita ut a quib;dam eos in pace dimittendo pecuniam extorqueant, & sic fiunt ass̄e & Jur̄ multociens ꝑ paupiores, divitib; ꝑ suo dando domi cōmorantib;; Statutum est decet̄o, qđ non sūmoneant[r] in una ass̄a plures q'm viginti & quatuor; Senes eciam videlicet ultra sexaginta & decem annos, ꝑpetuo languidi, vel tempe sūmonic̄ōis infirmi, vel in [p̄riam[4]] non cōmorantes non ponant[r] in Juratis vel minorib; ass̄is; nec eciam ponantur in assisis aut Juratis, licet in ꝑp'o Com̄ capi debeant, aliqui qui minus ħeant ten̄, q'm ad valenciam viginti solidoꝝ [ꝑ añū;[5]] et si huj⁹modi ass̄e & Jurate ext[a] Com̄ capi debeant non ponat[r] in eis aliquis qui min⁹ ten̄ ħeat q'm ad valenciam quadraginta solidoꝝ ꝑ annū, hiis exceptis, qui testes sunt in cartis, vel aliis scriptis quoꝝ ꝑsencia necessaria est, dūtamen potentes sint ad labo-

[1] si } *Reg. A.*
[2] omitted }
[3] & *Lib. Horn.*
[4] p̄ria *Reg. A.*
[5] Interlined on the Roll.

tali, &c. quod reddat, &c, Resummons shall be made between the Heirs and Executors of the Plaintiff, and likewise the Heirs and the Executors of the Defendant, if Death prevent any of the Parties before the Plea determined; and when they have passed to the great Distress, a Day shall be given, within which three County Courts may be holden at the least, in every of which open Proclamation shall be made, that the Deforcer shall come into the Bench at the Day contained in the Writ, to answer the Plaintiff; at which Day if he come not, and the Proclamation be so returned once, twice, [or [1]] thrice, the Judgement shall pass for the Plaintiff, saving the Right of the Defendant, if after he will claim it. In the same manner it shall be done in a Writ of Trespass, when any complaineth himself to be ejected from such Wardships.

The like in Ejectione custodiæ.

XXXVI. Penalty for Procurement of Suits in Courts-Baron, County-Courts, &c.

FORASMUCH as Lords of Courts, and other that keep Courts, and Stewards, intending to grieve [their Inferiors,[2]] where they have no lawful mean so to do, procure other to move Matters against them, and to put in Surety and [other[3]] Pledges, or to purchase Writs, and at the Suit of such Plaintiffs compel them to follow the County, Hundred, [Wapentake,] and other like Courts, until they have made Fine with them at their will; It is ordained, that it shall not be so used hereafter. And if any be attached upon such false Complaints, he shall replevy his Distress so taken, and shall cause the Matter to be brought afore the Justices, before whom if the Sheriff, [Bailiff, or other Lord,[4]] after that the Party distrained hath framed his Plaint, will advow the Distress lawful by reason of such Complaints made unto them, and it be replied that such Plaints were moved maliciously against the Party by the Solicitation or Procurement of the Sheriff, or other Bailiffs, or Lords, the same Replication shall be admitted; and if they be convict hereupon, they shall make Fine to the King, and nevertheless restore treble Damages to the Parties grieved.

Fine to the King and Treble Damages to Parties aggrieved.

XXXVII. No Distress but by Bailiffs known and sworn.

FORASMUCH also as Bailiffs, to whose Office it belongeth to take Distresses, intending to grieve [their Inferiors,[5]] that they may exact Money of them, do send Strangers to take Distresses, to the Intent that they might grieve [their Inferiors,[5]] by reason that the Parties so distrained, not knowing such Persons, will not suffer the Distresses to be taken; It is Provided, That no Distress shall be taken, but by Bailiffs sworn and known. And if they which do distrain do otherwise, and thereof be convict, if the Parties grieved will purchase a Writ of Trespass, they shall restore Damages to the Parties grieved, and besides, shall be grievously punished towards the King.

XXXVIII. How many and what Sort of Persons shall be returned in Juries or Petit Assises.

FORASMUCH also as Sheriffs, Hundreders, and Bailiffs of Liberties, have used to grieve [those which be in Subjection unto them,[5]] putting in Assises and Juries Men diseased and decrepit, and having continual or sudden Disease, and Men also that dwelled not in the Country at the Time of the Summons; and summon also an unreasonable Multitude of Jurors, for to extort Money from some of them for letting them go in peace, and so the Assises and Juries pass many Times by poor Men, and the rich Men abide at home by reason of their Bribes: It is ordained, That from henceforth in one Assise no more shall be summoned than four and twenty; and old Men, above Threescore and ten years, (6) being continually sick, or being diseased at the Time of the Summons, or not dwelling in that Country, shall not be put in Juries [of[7]] petit Assises; nor any shall be put in Assises or Juries, though they ought to be taken in their own Shire, [that may dispend less than[8]] Twenty Shillings yearly; and if such Assises and Juries be taken out of the Shire, none shall pass in them [but such as may dispend[8]] Forty Shillings yearly at the least, except such as be Witnesses in Deeds or other Writings, whose Presence is necessary, so that they be

[1] *and*
[2] their Tenants
[3] *offer*
[4] *or other Bailiff, or Lord*
[5] *those within their jurisdiction*
[6] men
[7] or
[8] *that have a less Tenement than to the Value of*

Exception, as to great Assises.

able to travel: Neither shall this Statute extend to great Assises, in which it behoveth many times Knights to pass not resident in the Country, for the Scarcity of Knights, so that they have Land in the Shire.

Sheriffs or Officers offending.

And if the Sheriff, or his [Undersheriffs,[1]] or Bailiffs of Liberties, offend in any Point of this Statute, and thereupon be convict, Damages shall be awarded to the Parties grieved, and they shall nevertheless be amerced to the King; and Justices assigned to take Assises, when they come into the Shire, shall have Power to hear the Plaints of all Complainants as to the Articles contained in this Statute, and to minister Justice in Form aforesaid.

XXXIX. How Writs shall be delivered to Sheriffs to be executed.

FORASMUCH as Justices, to whose Office it belongeth to minister Justice to all that sue before them, are many Times disturbed in due Execution of their Office, for that Sheriffs do not return Writs original and judicial; and also for that they make false Returns unto the King's Writs; Our Lord the King hath provided and ordained, That such as do fear the Malice of Sheriffs, shall deliver their Writs original and judicial in [the open County, or in the County[2]] where the Collection of the King's Money is; and may take of the Sheriff or Undersheriff, being present, a Bill, wherein the Names of the Demandants and Tenants mentioned in the Writ shall be contained; and at the Request of him that delivered the Writ, the Seal of the Sheriff or Undersheriff shall be put to the Bill for a Testimony, and Mention shall be made of the day of the Deliverance of the Writ. And if the Sheriff or Undersheriff will not put his Seal to the Bill, the Witness of Knights and other credible Persons being in presence shall be taken, that put their Seals to such Bill.

Remedy for Non-return of Writs.

And if the Sheriff will not return Writs delivered unto him, and Complaint thereof be made to the Justices, a Writ judicial shall go unto the Justices assigned to take Assises, that they shall inquire by such as were present at the Deliverance of the Writ to the Sheriff, if they knew of the Deliverance, and an Inquest shall be returned. And if it be found by the Inquest, that the Writ was delivered to him, Damages shall be awarded to the Plaintiff or Demandant; having respect to the Quality and Quantity of the Action, and to the Peril that might have come to him by reason of the Delay that he sustained; and

The like for false Returns.

by this mean there shall be Remedy when the Sheriff returneth that the Writ came too late, whereby he could not execute the King's Commandment.

The like where a Liberty is returned.

Oftentimes also Pleas be delayed by reason that the Sheriff returneth that he hath commanded the Bailiffs of some Liberty which did nothing therein, and nameth Liberties that never had the Return of Writs; whereupon our Lord the King hath ordained, That the Treasurer [and Barons] of the Exchequer shall deliver [to the Justices] in a Roll all the Liberties in all Shires that have Return of Writs. And if the Sheriff answer that he hath made Return to a Bailiff of another Liberty than is contained in the said Roll, the Sheriff shall be forthwith punished as a Disheritor of our Lord the King and his Crown. And if peradventure he return that he hath delivered the Writ to a Bailiff of some Liberty that indeed hath Return, the Sheriff shall be commanded, that he shall not spare for the foresaid Liberty, but shall execute the King's Precept; and that he do the Bailiffs to wit to whom he returned the Writ, that they be ready at a Day contained in the Writ, to answer why they did not execute the King's Precept; And if they come at the Day, and acquit themselves, that no Return was made to them, the Sheriff shall be forthwith condemned to the Lord of the same Liberty, and likewise to the Party grieved by the Delay, for to render Damages. And if the Bailiffs come not in at the Day, or do come, and do not acquit themselves in manner aforesaid, in every judicial Writ, so long as the Plea hangeth, the Sheriff shall be commanded that he shall not spare for the

The like for Sheriff's false Return of Issues.

Liberty, &c. Many times also Sheriffs make false Returns as touching [these Articles,[3]] Quod de exitibus, &c. returning sometime, and lying, that there be no Issues, sometime that there are small Issues, when they may return great, and sometime do make mention of no Issues;

[1] Under-bailiffs

[2] *the full County Court, or the rere County Court,* [3] *this Article*

randū; nec debet istud statutū extendi ad magnas assīas in quibꝫ aliqñ oportet apponꝛe milites in pñia non residentes, ꝑpt paucitatem militum, dum tamen in Coīm ħeant teñ. Et si Vic vel subballivi sui vel ballivi libtatis contª istud statutū in aliquo articulo veñint, & sup hoc convincantur, restituant dampna gravatis, & nꝰomin⁹ sint in mia Dñi Regis; & ħeant Justic ad assis capiendas assignati cum in Coīm veñint, potestatem audiendi querimonias singulorꝫ conquerenciū, quoad articulos in isto statuto contentos & justiciam in forma ꝓdca exhibendam.

Quia Justic, ad quoꝝ officium spectat unicuiq; coram eis placitanti justiciam exhibere, frequencius impediunt' quomin⁹ officiū suū debito modo exequi possent, ꝑ hoc qđ Vic bria originalia & judicialia non retnant, ꝑ hoc eciā qđ ad brevia Regis falsum returnant responsum, ꝓvidit Dñs Rex & ordinavit, qđ illi qui timent maliciam Vic libent bria sua originalia & judicialia in pleno Coīm, vel in retro Coīm, ubi fit colleccio denariorꝫ Dñi Regis, & capiatur bilettū de Vic ꝓsente vel subvic in quo biletto contineant' nomina pe & teñ que nōiant' in bri, & ad requisicōem illius qui breve libabit apponat' sigillū Vic vel Subvic in testimoniū & fiat mencio de die liberacōis bris. Et si Vic vel Subvic huj⁹modi biletto sigilla sua apponꝛe noluerint, capiatur testimoniū militum & aliorꝫ fide dignorꝫ qui ꝓsentes fuint, qui sigilla sua huj⁹modi biletto apponant. Et si Vic brevia sibi libata non retnavit, & sup hoc Justic querimonia ꝓveniat, mandetur ꝑ breve de judicio Justic ad assis capiend assign, qđ inquirant ꝑ eos qui ꝓsentes fuint quando bre Vic libatum fuit si sciverint de illa libacōne, & inquisicio retornet'. Et si comptum fuit ꝑ inquisicōm qđ breve fuit ei libatum, adjudicent' petenti vel querenti dampna, ħito respectu ad qntitatem & qualitatem accōis & ad ꝑiculum quod ei evenire posset ꝑ dilōnem, quam paciebatur; Et ꝑ istam viam fiat remediū, quando Vic respondet qđ breve adeo tarde venit qđ ꝓceptum Regis exequi non potuit.

Multociens eciam capiunt placita dilōnem ꝑ hoc qđ Vic respondēt qđ ꝓcepēt Ballivis alicuj⁹ libertatis qui nichil inde fecunt & nōiant, libtates que nūqm retnū brium ħuerunt, ꝑpt quod ordinavit Dñs Rex qđ Thesauī de Scacio libet in rotulo oīes libtates in quibuscumq; Coīm, que ħent returnū brium. Et si Vic respondeat qđ returnum fecit ballis alīius libtatis qm alicuj⁹ contente in ꝓdco rotulo, statim puniatur Vic tanqm exheredator Dñi Regis & Corone sue. Et si forte respond qđ retornavit Ballis alicuj⁹ libtatis, que veracit retnū ħet, mandetur Vic, qđ non omittat ꝑpt ꝓdcam libtatem, quin exequatur ꝓceptum Dñi Regis, et qđ scire faciat Ballis quibꝫ fecit retnū qđ sint ād diem in bri contentū ad respondend quare de ꝓcepto Dñi Regis execucōem non fecerūt; et si ad diem veñint & se acquietent qđ retnum [bris[1]] eis non fuit fcum statim condempnet' Vic dño illius libtatis & similit pti lese ꝑ dilōem in restitucōem dampnorꝫ. Et si Ballis ad diem non veñint, vel veñint & supdco modo se non acquietavint, in quolibet bri de judicio qmdiu durat placitum, ꝓcipiatur Vic qđ non omittat ꝑpt libtatem, &c. Multociens eciam falsum dant responsum, quoad illum articulū, Quod de exitibus, &c. mandantes aliqndo & mencientes, qđ nulli sunt exitus, aliquando qđ ꝓvi sunt cum de majoribꝫ respondere possunt, aliqñ non facientes mencōem de exitibꝫ; ꝑpt quod

[1] Interlined on the Roll.

ordinatum est & concordatum qđ si querens petat auditum responsionis Vič concedat' ei; Et si offerat verificare qđ Vič, de majoribꝫ exitibꝫ respondere potuit, fiat ei breve de judicio ad Justič ad assisas capiendas assign̄, qđ inquirant in ꝑsencia [- -[1]] si int'esse volu̇it de quibꝫ & quantis exitibꝫ Vič respondere potuit, a die recep-c̄ois br̄is, usq; ad diem in br̄i contentū. Et cum inquisicio retornata fu̇it, si de pleno p'us non respondit on̄et' de supplusagio [- -[2]] ext'ctas lib̄atas ad Sc'cm, et n'omin' graviter am̄ciet' ꝑ concelamento. Et sciat Vič qđ redditus, blada in g'ngia, & om̄ia mobilia ꝑter equitaturam, indumenta & utensilia dom' continent' sub nōie exituū: [ꝑcipit[3]] Dn̄s Rex qđ Vič ꝑ huj'modi falsis respons̄, semel & i̇t̄um si sit necesse, ꝑ Justič castigent'. Et si ꝑcio deliquerint alius non apponat manū q'm Dn̄s Rex. Multociens eciam ([4]) dant responsum [ma - do[5]] qđ non potuerunt ꝓsequi ꝑceptum Regis ꝓpt' resistenciam potestatis alicuj' magnatis, de quo caveant Vič deceꝑo, quia huj'modi responsio multum redundat in dedecus Dn̄i Regis; & q'mcito [batti[6]] sui [test - - ur[7]] qđ invenerunt huj'modi resistenciam, statim om̄ibꝫ omissis, assumpto secū posse Com̄ sui eat in ꝓp'a ꝑsona ad faciend̄ execuc̄oem; Et si inveniat subballios mendaces puniat eos ꝑ p'sonam, ita qđ [- - -[8]] ꝑ eoꝝ penam castigent'; Et si inveniat eos veraces, castiget resistentes ꝑ p'sonam, a qua non deliberent' sine speciali ꝑcepto Dn̄i Regis. Et si forte Vič cum ven̄it resistenciam inven̄it, c̄tificet curiam de nōibꝫ resistenciū, auxilianciū, consencienciū, ꝑcipienciū & fautoꝝ, & ꝑ breve de judicio attach̄ ꝑ corꝑa ad veniendum ad curiam; Et si de huj'modi resistencia convincant', ([9]) sc̄dm qđ Dn̄o Regi placu̇it. [N - -[10]] intromittat se aliquis minister Dn̄i Regis de pena huj'modi infligenda, quia Dn̄s Rex hoc sp̄aliter sibi reservat ꝑ eo qđ huj'modi resistentes cencent' pacis sue & regni ꝑturbatores.

Cum quis alienat jus uxis sue, concordatum est qđ deceꝑo secta mulieris vel ejus heredis non differatur post obitum viri, ꝑ minorem etatem heredis qui warantizare debet, set expectet emptor, qui ignorare non debuit qđ jus alienū emit, usq; ad etatem waranti sui de warantia sua ħenda.

Statuit Dn̄s Rex qđ si Abbates, Priores, Custodes Hospiť, & aliaꝝ domoꝝ religiosaꝝ, fundataꝝ ab iꝑo vel a ꝓgenitoribꝫ suis [alienav̄it[11]] deceꝑo ten̄ domibꝫ iꝑis ab iꝑo vel a ꝓgenitoribꝫ suis collata, ten̄ illa in manū Dn̄i Regis capiant' & ad voluntatem suam teneant', et emptor amittat suum recuꝑare tam de ten̄ q'm de pecunia quam pacavit. Si autem domus illa a Comitibꝫ Baronibꝫ, vel aliis fundata fu̇it, de ten̄ sic alienatis ħeat ille a quo vel a cuj' antecessore ten̄ sic alienatum collatum fu̇it, breve ad recupand̄ ten̄ illud in dn̄ico, quod tale est: Precipe tali Abbi qđ juste, &c. reddat B. tale ten̄, quod eidem domui collatum fuit in lib̄am elemosinam ꝑ ꝑdč̄m B. vel antecessores suos, & quod M. 42. ad ꝑdč̄m B. rev̄ti debet ꝑ alienac̄oem quam ꝑdč̄us Abbas fecit de ꝑdč̄o ten̄ contra formam collacionis predč̄e ut dicit. Eodem modo de tenem̄to dato ꝑ Can-

[1] Vič
[2] ꝑ
[3] Et ꝑcept
[4] fals̄
[5] mandando
[6] subballivi

Reg. A: Rot. Bodl.

[7] testificent'
[8] alii
[9] puniant'
[10] Nec
[11] alienav̄int

Wherefore it is ordained and agreed, That if the Plaintiff demand hearing of the Sheriff's Return, it shall be granted him; and if he offer to aver that the Sheriff might have returned greater Issues [unto the King,] he shall have a Writ judicial unto the Justices assigned to take Assises, that they shall inquire in Presence of the Sheriff if he will be there of what and how great Issues the Sheriff might have made Return from the Day of the Writ [purchased[1]] unto the Day contained in the Writ. And when the Inquest is returned, if he have not afore answered for the Whole, he shall be charged with the Overplus by the Extreats [of the Justices] delivered in the Exchequer, and nevertheless shall be grievously amerced for the Concealment. And let the Sheriff know that Rents, Corn in the Grange, and all moveables, except Horse Harness, ([2]) and Houshold Stuff, be contained within the Name of Issues. And the King hath commanded, that Sheriffs shall be punished by the Justices once or twice, if need be, for such false Returns; and if they offend the third Time, none shall have to do therewith but the King. They make also many times false Answers, returning that they could not execute the King's Precept for the Resistance of some great Man; [wherefore[3]] let the Sheriffs beware from henceforth, for such Manner of Answers redound much to the Dishonour of the King; and as soon as his [Bailiffs[4]] do testify that they found such Resistance, forthwith all Things set apart, taking with him the Power of the Shire, he shall go in proper Person to do Execution; and if he find his Underbailiffs false, he shall punish them by Imprisonment, so that other by their Example may be reformed; and if he do find them true, he shall punish the Resisters by Imprisonment, from whence they shall not be delivered without the King's special Commandment. And if percase the Sheriff when he cometh do find Resistance, he shall certifie to the Court the Names of the Resisters, Aiders, Consenters, Commanders, and Favourers, and by a Writ judicial they shall be attached by their Bodies to appear at the [King's] Court; and if they be convict of such Resistance, they shall be punished at the King's Pleasure. Neither shall any Officer of the King's meddle in assigning the Punishment, for our Lord the King hath reserved it specially to himself, because that [Resisters have been[5]] reputed Disturbers of his Peace, and of his Realm.

What shall be accounted Issues.

Resistance of Execution of Process.

Punishment thereof.

XL. A Woman's Suit not deferred by the Minority of the Heir.

WHERE any doth aliene the Right of his Wife, It is agreed, That from henceforth the Suit of the Woman, or her Heir, after the Death of her Husband, shall not be delayed by the Nonage of the Heir that ought to warrantise, but let the Purchaser tarry, which ought not to have been ignorant that he bought the Right of another, until the Age of his Warrantor, to have his Warranty.

XLI. Lands aliened by Religious Houses shall be seized into the King's Hands.

Writ of Contra forma Collationis.

OUR Lord the King hath ordained, That if Abbots, Priors, Keepers of Hospitals, and other Religious Houses founded by him or by his Progenitors, do from henceforth aliene the Lands given to their Houses by him or by his Progenitors; the Land shall be taken into the King's Hands, and holden at his Will, and the Purchaser shall lose his Recovery as well of the Lands, as of the Money that he paid. And if the House were founded by an Earl, Baron, or other Persons, for the Lands so aliened, he [from[6]] whom, or [from[6]] whose Ancestor, the Land so aliened was given, shall have a Writ to recover the same Land in Demesne, which is thus: [Præcipe tali Abbati, quod juste, &c. reddat G.F. tale tenementum quod eidem domui collatum fuit in liberam eleemosynam per predictum G. vel antecessores suos, & quod ad predictum G. reverti debet per alienationem quam prædictus Abbas fecit de prædicto tenemento, contra formam collationis prædictæ, ut dicit.7] In like manner for Lands given for the Main-

[1] *received*
[2] *Wearing Apparel*
[3] *whereof*
[4] Underbailiffs
[5] *such Resisters are*
[6] by

[7] *Command such an Abbot that justly, &c. he render to B. such a Tenement, which to the said House was given in Free Alms by the aforesaid B. or his Ancestors, and which to the aforesaid B. ought to revert, by the Alienation which the aforesaid Abbot hath made of the aforesaid Tenement, contrary to the Form of the Gift aforesaid, as he saith.*

Lands for Maintenance of a Chantery, &c.

Writ of Cessavit upon withdrawing of Alms. *6 Ed. I. c. 4.*

tenance of a Chantery, or of [Light [1]] in a Church or Chapel, or other Alms to be maintained, if the Land given be aliened. But if the Land so given for a Chantery, Light, Sustenance of poor People, or other Alms to be maintained or done, be not aliened, but such Alms is withdrawn by the Space of Two Years, an Action shall lie for the Donor or his Heir to demand the Land so given in demean, as it is ordained in the Statute of Gloucester for Lands leased to do or to render the fourth Part of the Value of the Land, or more.

XLII. Fees of the King's Marshal:

From Earls and Barons.

From Abbots and Priors.

Archbishops and Bishops.

Religious Men.

Fees of the King's Chamberlains.

CONCERNING the King's Marshals of Fee, Chamberlains, Porters in the Circuit of Justices and Serjeants bearing Vierge before Justices at Westminster, which have the same Office in Fee, and that ask more by reason of their Fee than they have used to ask, whereupon many do complain on them, that have known and seen the Order of the Court of long Time; Our Lord the King hath caused to be enquired by an Inquest what the said Officers of Fee have used to have in Times passed, and hath ordained and commanded, That a Marshall of Fee, which of new asketh a Palfray of Earls, Barons, and other holding by a Part of a Barony, ([2]) when they have done Homage, and nevertheless another Palfray when they are made Knights, and of some [that ought not to give any, ask [3]] a Palfray: [It is in like manner ordained, That the said Marshal,[3]] of every Earl and Baron, holding by an entire Barony, shall be contented with one Palfray, or with the Price of it, such as he hath used to have of old; so that if he took a Palfray, or the Price of one, at the doing of his Homage in Form aforesaid, he shall take nothing when he is made Knight; and if he took nothing at the doing of his Homage, when he is made Knight he shall take. Of Abbots and Priors holding an whole Barony, when they do Homage or Fealty for their Baronies, he shall take one Paltray, or the Price, as afore is said; and this shall also be observed [amongst [4]] Archbishops and Bishops. Of such as hold but a Part of a Barony, whether they be Religious or Secular, he shall take according to the portion of the part of the Barony that they hold. Of Religious Men that hold in free Alms and not by a Barony, nor Part of a Barony, the Marshal from henceforth shall demand nothing: And our Lord the King hath granted, that by this Statute [a [5]] Marshal of Fee shall not be barred hereafter to demand more, if he can shew that he hath Right unto more. The King's Chamberlains from henceforth shall have of Archbishops, Bishops, Abbots, Priors, and other Persons Spiritual, of Earls and Barons holding an entire Barony, a reasonable Fine when they do their Homage or Fealty ([6]); and if they hold by a Part of a Barony, they shall take a reasonable Fine according to the Portion to them belonging. Other Abbots, Priors, and other Persons Spiritual and Temporal, that hold no entire Barony, nor Part of a Barony, shall not be distrained to make Fine, as it is said by them that hold by a Barony, or Part of a Barony, but the Chamberlain shall be contented with [his [7]] upper Garment, or with the Price thereof; which is done in favour of Persons Religious more than of Lay Persons; for it is more convenient that Religious Men should fine for their Upper Garment, than to be stripped.

XLIII. Hospitallers and Templars shall draw no Man into Suit belonging to the King's Court.

BE it Prohibited from henceforth to Hospitallers and Templars, that hereafter they bring no Man in Plea before the Keepers of their Privileges for any Matter, the Knowledge whereof belongeth to the King's Court; which if they do, first, they shall yield Damages to the Party grieved, and be grievously punished unto the King. The King also prohibiteth to the Keepers of such Privileges, that from henceforth they grant no Citations at the instance of Hospitallers, Templars, or other Persons privileged, before it be expressed upon what Matter the Citation ought to be made; and if the Keepers do see that Citation is required upon any Matter, the Knowledge whereof belongeth to the King's

[1] a Light [2] *a Palfray*
[2] *of whom he ought not to have a Palfray, of new asketh,*
[3] These Words are superfluous. [4] *concerning*
[5] *his* [6] *for their Baronies* [7] *the*

taria sustentanda vel luminari in aliqua Eccl̃ia vel Capella vel aliis elemosinis sustentandis, si teñ sic datum alienet[r]. Et si forte teñ sic datum p̃ Cantaria, Luminari, potura paupum, vel aliis elemosinis sustentandis, vel faciendis non fuit alienatum, set subtracta fuit huj[9]modi elemosina p̃ bienniū, competat accio donatori vel ejus heredi ad petendum teñ sic datum in dñico, sicut statutum est in statuto Glouc̃, de teñ dimissis ad faciendum vel ad reddendum quartam p̃tem valoris teñ, vel majoris.

De Marescallo Dñi Regis de feodo, Cam̃ar̃, Custod̃ Hostiog̃ in Itinere Justic̃, & s̃vientibus virgam portantib3, coram Justic̃ apud Westm̃, qui officium illud h̃ent de feodo & qui plus exigūt racione feodi sui q[m] exig[e] consuev̄ūt scd̃m qd̃ multi querunt[r], p̃ eos qui statum Curie a multo tempe viderunt & sciunt; Dñs Rex inquiri fecit quem statum p̃d̃ci ministri de feodo h̃re consuev̄unt tempib3 ret[o]actis, & p̃ inquisic̃oem statuit & p̃cepit, qd̃ Marescallus de feodo qui de novo exigit palefridum, de Comitibus, Baronibus & aliis, p̃ p̃tem Baronie tenentibus, [palefridum [1]] quando homagiū fecerūt, & nich̃ominus ad miliciam eog̃ aliū palefridum, & de quib3dam de quib3 palefridum h̃re non [debent [2]] palefridum de novo [exigunt,[3]] ordinavit qd̃ p̃d̃cus Marescallus de quolibet Comite & Barone, integ[a]m Baroniam tenente, de unico palefrido sit content[9] vel de p̃cio, quale antiquitus p̃cipe [consueverūt [4]]; Ita qd̃ si ad homagiū quod fecit palefridum vel p̃cium cepit in forma p̃d̃ca, ad miliciam suam nichil capiat; Et si forte ad homagium nich̃ cepit ad miliciam capiat. ¶ De Abbatib3 & Prioribus, integ[a]m Baroniam tenentib3, cum homagiū aut fidelitatem fec̃int p̃ Baroniis suis capiat palefridum vel p̃cium, ut p̃d̃cum est; hoc idem de Archiep̃is & Ep̃is est observandū. De h̃is autem qui p̃tem Baronie tenent, sive sint Religiosi sive seculares, capiant s̃cd̃m porc̃oem p̃tis Baronie quam tenent. De Religiosis tenentib3 in liberam elemosinam, & non p̃ Baroniam vel p̃tem Baronie, nichil dece[o] exigat Marescallus: & concessit Dñs Rex qd̃ p̃ hoc statutū non p̃cludat[r] Marescallus suus de feodo in plus petendo, si imposterū ostendere pot̃it qd̃ jus h̃eat plus petendi. Cam̃arii Dñi Regis h̃eant dece[o] de Archiep̃is, Ep̃is, Abbib3, Priorib3, & aliis p̃sonis ecc̃iasticis, Comitib3, Baronib3, integ[a]m Baroniam tenentib3, racionabilem finem cum homagiū aut fidelitat̃ p̃ Baroniis suis fec̃int; Et si p̃ p̃tem Baronie teneant, [capiat [5]] racionabilem finem, s̃cd̃m porc̃om ip̃os contingent̃. Alii vero Abbates & Priores & alii Religiosi & seculares, non tenentes p̃ baroniam, vel p̃tem baronie, non distringant[r] ad finem faciend̃ scd̃m qd̃ de tenentib3 p̃ baroniam, vel p̃tem baronie [sicut d̃cm est,[6]] set sit cam̃arius de sup̃iori indumento content[9], vel de p̃cio indumenti, quod plus d̃cm est p̃ Religiosis q[m] secularib3, quia honestius est qd̃ religiosi finem faciant p̃ supiori indumento q[m] exuant[r].

¶ Prohibet[r] dece[o] Hospit̃ & Templar̃ ne dece[o] trahant aliquem in placitum coram cons̃vatorib3 p[l]vilegiog̃ suog̃, de aliqua re cuj[9] cognicio ad forum Regiū p̃tineat; quod si fec̃int, p[l]mo restitutis dampnis p̃ti g[a]vate, & versus Regem g[a]viter puniant[r]. Prohibet eciam Dñs Rex cons̃vatorib3 privilegiog̃ eog̃dem ne dece[o] ad instanciam Templar̃, Hospit̃, aut alio[g̃] p[l]vilegiato[g̃] concedant citac̃oes quousq; sci[v]int sup qua re fieri debeat citac̃o; et si viderint huj[9]modi conservatores qd̃ petat[r] citacio de aliqua re cujus cognicio ad forum

[1] *Printed Copies* omit. In *Lib. Horn*, the word is inserted, but struck through with a pen.
[2] debu[t] *Reg. A.*—debuit *Lib. Horn.*
[3] exigit *Reg. A: Lib. Horn.*
[4] cōsuev[t] *Reg. A.*—consuevit, *Lib. Horn.*
[5] capiant, *Rot. Bodl: Lib. Horn.*
[6] { Interlined on the Roll.
{ d̃cm est *Reg. A: Rot. Bodl.*—ut p̃d̃cm est *Lib. Horn.*

spectat regiū huj⁹modi con'vatores nec citac̃oem faciant nec cognoscant. Et si aliter fec̃int, con'vatores respondeant p̄ti lese de dampnis et n'ominus vers⁹ Regem gravit̃ puniant'. Et quia huj⁹modi p'vilegiati impet'nt conservatores Subpriores, Precentores, Sacristas, viros religiosos, qui nichil h̃ent unde lesis aut Dño Regi satisfacere possint, qui audaciores sunt ad ledendū dignitatem Dñi Regis q'm eo⁊ supiores, quib⁊ p eo⁊ tempalia pena potest infligi: Caveant decet⁹ p̄lati huj⁹modi obedienciario⁊ ne p̄mittant obedienciarios suos assum̃e sibi juridic̃oem in p̄judiciū Dñi Regis & Corone sue; quod si fec̃int p̄ fc̃o i⁊p̄o⁊ respondeant supiores sui, ac si de p̄p'o fc̃o convicti essent.

De custodibus hostio⁊ in Itin̄e & virgam portantib⁊ coram Justic̃ de Banco, ordinatum est qd̄ de qualibet assīa & Jurata quam custodiunt, capiant quatuor denarios tantū, De Cirographis nich̃. De hiis qui recupant demandas suas, p̄ defaltam, reddic̃oem, vel alio modo p̄ judicium, sine assīa & Jurata, de hiis qui recedunt sine die p̄ defaltam petentis vel querentis, nich̃ capiant. Et si quis recupav̄it demandam suam, vers⁹ p̄les p̄ unū br̃e & p̄ recogn̄ assīe aut Jur̃, de quatuor denar̃ sint contenti. Et similiter (1) in uno brevi nōiati, p̄ recogn̄ assīe vel Jur̃, de quatuor denar̃ sint contenti. De hiis qui faciunt homagiū in Banco de supiori panno sint contenti. De magnis assisis, attinctis, Jur̃, & de duello p̄cusso, xij. denar̃ tantū capiant'. De hiis qui vocati sunt coram Justic̃ ad sequendū vel defendendū p̄litum suū, nich̃ [dent [2]] p̄ ingressu vel egressu. Ad placita Corone de qualibet duodena xij den̄ tantum capiant'. De quolibet p'sone delib̃ato, quatuor den̄ tantū capiant'. De quolibet (3) cuj⁹ pax p̄clamata fuit xij. den̄ tantum capiant'. [De inventorib⁊ vicinis & aliis villatis attach̃, quatuor hōib⁊ & p̄p̄ōito decennar̃, nich̃ capiat'.[4]] De Cirographariis p̄ cirog'pho faciendo statutum est, qd̄ de quatuor solidis sint contenti. De clicis scribentib⁊ br̃ia originalia & judicialia statutū est qd̄ p̄ brevi de denar̃ sint contenti. Et injungit Dñs Rex om̄ib⁊ Justic̃ suis in fide & sac̃o quib⁊ ei tenent', qd̄ si hujusmodi ministri cont'a p̄dc̃m statutū in aliquo ven̄int & querimonia ad eos p̄veniat, penam ei sinfligant racionabilem. Et si i⁊um deliquerint majorem penam eis infligant qua castigari m̃ito debeant. Et si tercio deliquerint, & sup hoc convicti fuint, si sint ministri de feodo, amittant feodum suū, si alii sint amittant cur̃ Regis, n' redeant sine i⁊ius Regis sp̄ali gr̃a seu p̄cepto.

Quia de hiis que recordata sunt coram Cancellar̃ Dñi Reg̃ & ejus Justic̃, qui recordum h̃ent & in rotulis eo⁊ irrotulata, non debet fieri p̄cessus placiti p̄ sum̃, attach̃, essoñ, visus t̄re, & alias solempnitates Cur̃, sicut fieri consuevit de cont'actib⁊ & convenc̃oib⁊ fc̃is ext'a cur̃; ob'vand̄ est decet⁹ qd̄ ea que inveniunt' irrotulata coram hiis qui recordum h̃ent, vel in finib⁊ contenta, sive sint cont'actus sive convenc̃ones sive obligaciones sive ⁊vic̃ aut̃ [conſ recogn̄ [5]] vel alia quecūq̄ irrotulata, quib⁊ Cur̃ Regis, sine juris & consuetudinis offensa, auctoritatem potest prestare, talem decet⁹ h̃eant vigorem qd̄ non sit necesse de hiis imposterum placitare; set cū ven̄int conquerentes ad Cur̃ dñi Regis si recens sit cognicio vel finis [videt infra annū in br̃i levatus [6]] statim h̃eant breve de execucione illius recogn̄ fc̃e. Et si forte a majori tempe t'nsacto fc̃a fuit illa recognicio vel finis levat⁹ p̄cipiat' Vic̃ qd̄ scire fac̃ p̄ti de qua

[1] si plures *Reg. A:* si p̄res sint *Rot. Bodl.*
[2] capiant *Printed Copies.* [3] utlagato *Rot. Bodl.*
[4] De inventorib⁊ viciniis & aliis attachiatis villatis quatuor hōib⁊ [& p̄posito *struck through*] & decennariis nich̃ capiat'. *Lib. Horn.* De inventoribus occisorum & aliis attachiat' vill' iv. d. De decennariis hominibus, *al'* de quatuor hominibus & preposito ac decenariis, nihil capiatur. 2 *Inst.*
[5] ⁹suetudines, recognita *Reg. A.*—conſ recognita *Lib. Horn: Lib. Rub. Scacc. Dubl.*—consuet̄ cognit̄ *Rot. Bodl.*
[6] levat̄ viz. infra annum *Printed Copies.*

Court, the Keepers shall neither make nor knowledge the Citation. And if the Keepers do otherwise, they shall yield Damages to the Party grieved, and nevertheless shall be grievously punished by the King. And Forasmuch as such Persons privileged, depute Keepers, Sub-Priors, Chantors, Sextons, which be Religious Men, and which have nothing to satisfy the Parties grieved, nor the King; which be more bold to offend the King's Dignity than their Superiors, to whom Punishment may be assigned by their Temporalties: Let the Prelates of such Obedients therefore beware from henceforth, that they do not suffer their Obedients to usurp any Jurisdiction in Prejudice of the King and his Crown; and if they do, their Superiors shall be charged for their Fact, as much as if they had been convict upon their proper Act.

XLIV. The Fees of Porters and Vergers.

CONCERNING Porters [bearing Verge before Justices of the Bench in the Circuit [1]]; It is Provided, That of every Assise and Jury that they keep they shall take [xd.[2]] only, and for the [Bills [3]] nothing. Of such as recover their Demands by Default, Confession, or otherwise by Judgement without Assise and Jury, [they shall take nothing;] of such as go without Day by Default of the Demandant or Plaintiff, they shall take nothing. And if any recover his Demand against many by one Writ, and by Recognizance of Assise or Jury, they shall be content with iv d. And likewise if many named in one Writ do recover by Recognizance of Assise or Jury, they shall be content with ivd. Of such as do Homage in the Bench, they shall be content with their upper Garment. Of great Assises, Attaints, Juries, and Battle waged, they shall take xii d. only. Of such as be called before Justices to sue or to defend their Pleas, they shall take nothing for their coming in or forth. At the Pleas of the Crown, for every Dozen xii d. only shall be taken. Of every Prisoner delivered iv d. shall be taken. Of every one whose Peace is proclaimed xii d. only shall be taken. [Of the Finders of Men slain, and others of a Town attached, iv d. Of Tythingmen nothing shall be taken.[4]] Of Cyrographers, for making a Cyrografe, it is ordained, that they shall be contented with iv s. Of Clerks writing Writs original and judicial, it is ordained, That for one Writ they shall take but id. And the King chargeth all his Justices, upon their Faith and Oath that they owe him, that if such Manner of Officers offend in any Article against this Statute, and Complaint come to them thereof, they shall execute on them reasonable Punishment: And if they offend the second Time, they shall award greater Punishment, that they may be duly corrected: And if they offend the third Time, and be thereupon convicted, if they be Officers [of the Fee,[5]] they shall leese their Fee; and if they be other, they shall void the King's Court, and shall not be received again, without the special Grace [and Licence [6]] of the King himself.

Cyrographers.

Clerks writing original Writs.

Punishment of Offenders.

XLV.

BECAUSE that of such Things as be recorded before the Chancellor and the Justices of the King that have Record, and be inrolled in their Rolls, Process of Plea ought not to be made by Summons, Attachments, Essoin, View of Land, and other Solemnities of the Court, as hath been used to be done of Bargains and Covenants made out of the Court; From henceforth it is to be observed, That those Things which are found inrolled before them that have Record, or contained in Fines, whether they be Contracts, Covenants, Obligations, Services, or Customs knowledged, or other Things whatsoever inrolled, wherein the King's Court, without Offence of the Law and Custom, may execute their Authority, from henceforth they shall have such Vigour, that hereafter it shall not need to plead [for [7]] them; But when the Plaintiff cometh to the King's Court, if the Recognisance or Fine levied be fresh, that is to say, levied within the Year, he shall forthwith have a Writ of Execution of the same Recognisance made. And if the Recognisance were made, or the Fine levied of a further Time passed, the Sheriff shall be commanded,

On matters of Record Execution within the Year.

Scire Facias after the Year.

[1] *in the Circuit, and those bearing Verge before the Justices of the Bench,*
[2] *four-pence* [3] *Chirographs*
[4] All Translations agree in this Reading. [5] of Fee
[6] *or Precept* [7] *concerning*

that he give Knowledge to the Party of whom it is complained, that he be [afore the Justices] at a certain Day, to shew if he have any thing to say why such Matters inrolled or contained in the Fine ought not to have Execution. And if he do not come at the Day, or peradventure do come, and can say nothing why Execution ought not to be done, the Sheriff shall be commanded to cause the Thing inrolled or contained in the Fine to be executed. In like Manner, an Ordinary shall be commanded in his Case, observing nevertheless as before is said of a Mean, which by Recognisance or Judgement is bound to acquit.

Execution thereon by the Sheriff;

or Ordinary.

XLVI. *Stat. Merton* 20 *H.* 3. *c.* 4.

WHEREAS in a Statute made at Merton, it was granted that Lords of Wastes, Woods, and Pastures, might approve the said Wastes, Woods, and Pastures, notwithstanding the Contradiction of their Tenants, so that the Tenants had sufficient Pasture to their Tenements with free [Egress and Regress to [1]] the same: And Forasmuch as no Mention was made between [Neighbours and Neighbours,[2]] many Lords of Wastes, Woods, and Pastures, have been hindered heretofore by the Contradiction of Neighbours having sufficient Pasture: And because foreign Tenants have no more Right to Common in the Wastes, Woods, or Pastures of any Lord than the Lord's own Tenants; It is Ordained, That the Statute of Merton, provided between the Lord and his Tenants, from henceforth shall hold Place between Lords of Wastes, Woods, and Pastures, and their Neighbours; Saving sufficient Pasture to their Tenants and Neighbours, so that the Lords of such Wastes, Woods, and Pastures, may make Approvement of the Residue. And this shall be observed for such as claim Pasture as appurtenant to their Tenements. But if any do claim Common ([3]) by special Feoffment or Grant for a certain Number of Beasts, or otherwise [which [4]] he ought to have of common Right, [whereas Covenant barreth the Law,[5]] he shall have such Recovery as he ought to have had by Form of the Grant made unto him: By occasion of a Windmill, Sheepcote Deyry, inlarging of a Court necessary, or Courtelage, from henceforth no Man shall be grieved by Assise of Novel Disseisin for Common of Pasture. And where sometime it chanceth, that one having Right to approve, [doth then levy [6]] a Dyke or an Hedge, and some by Night, or [at another Season, when they suppose not to be espied,[7]] do overthrow the Hedge or Dyke, and it cannot be known by Verdict of the Assise or Jury, who did overthrow the Hedge or Dyke, and Men of [the Towns near [8]] will not indict such as be guilty of the Fact, [the Towns near adjoyning [9]] shall be distrained to levy ([10]) the Hedge or Dyke at their own Cost, and to yield Damages. And where one, having no Right to Common, usurpeth Common what Time an Heir is within Age, or a Woman is covert, or whilst the Pasture is in the Hands of Tenants in Dower, by the Courtesy, or otherwise for Term of Life or Years, or in Fee-tail, and have long Time used the Pasture, many hold opinion, that such Pastures ought to be said to belong to [the [11]] Freehold, and that the Possessor ought to have Action by a Writ of Novel Disseisin, if he be deforced of such Pasture; but from henceforth this must be holden, that such as have entred within the Time that an Assise of Mortdauncestor [hath lien,[12]] if they had no Common before, shall have no Recovery by a Writ of Novel Disseisin, if they be deforced.

Lords may approve Common against their Neighbours, leaving them sufficient.

Destruction of a Ditch or Hedge made by an Approver.

Adjoining Towns answerable.

Usurpation of Common during the Estate of particular Tenants.

XLVII. Penalty for taking Salmons at certain Times of the Year.

IT is Provided, That the Waters of Humber, Owse, Trent, Done, Arre, Derewent, Wherfe, Nid, Yore, Swale, Tese, [Tine, Eden,] and all other Waters wherein Salmons be taken ([13]), shall be in Defence for taking Salmons from the Nativity of our Lady unto St. Martin's Day; and that likewise young Salmons shall not be taken nor destroyed by Nets, nor by other Engines at Millpools, from the midst of April unto the Nativity of St. John Baptist. And in Places whereas

[1] Ingress and Egress into and from
[2] Neighbour and Neighbour
[3] of Pasture
[4] than
[5] where Covenant doth abrogate the Law
[6] hath made or levied
[7] such other Time when they believe their Deed should not be known,
[8] the next Towns
[9] the next Townships adjoining about the same
[10] or make up
[11] his
[12] doth lye
[13] *in the Realm*

Stat. 3 & 4 *Ed. VI. chapter* 3.

fit querimonia qđ sit ad certum diem ostenš si quid sciat dicere quare hujusmodi irrotulata vel in fine contenta execuc̃oem ħre non debeant. Et si ad diem [nō [1]] veñit, vel forte veñit & nicħ sciat dicere quare execucio fieri non debeat, p̄cipiat' Vic̃ qđ rem irrotulatam vel in fine contentam exequi fac̃. Eodem modo mandet' ordinar̄ in suo casu obs̄vato nichomin⁹ quod sup'dc̃m est de medio qui p̄ recogn̄ aut judm obligatus est ad acquietandum.

Cum in Statuto edito apud M̄ton concessum fuit qđ Dñi boscoz̄, vastoz̄, pastuŕ appruare se possent de boscis, vastis & pastuŕ illis, non obstante contradicc̃oe tenenciū suoz̄, dūmodo tenentes ip̄i ħerent sufficientē pasturam ad ten̄ sua cū libo ingressu & egr̄u ad eandem, & p̄ eo qđ nulla fiebat mencio int̄ vicinū & vicinū, multi dñi boscoz̄, vastoz̄ & pasturaz̄, hucusq; impediti extit̄unt p̄ cont'dicc̃oem vicinoz̄ sufficientem pasturam ħencium; Et quia forinseci tenentes non ħent majus jus cōicandi in bosco, vasto aut pastura, alicujus dñi q'm p̄rii tenentes ip̄ius dñi; Statutum est decet̄o, qđ Statutum apud M̄ton p̄visum int̄ dñm & tenentes suos locum ħeat decet̄o int̄ dños boscoz̄ vastoz̄ & pasturaz̄ & vicinos; Ita qđ dñi huj⁹modi vastoz̄ boscoz̄ & pasturaz̄, salva sufficiente pastura hominib; suis & vicinis, appruare se possint de residuo. Et hoc obs̄vet' de hiis qui clam̄ pasturam tanq'm p̄tinentē ad ten̄ sua. Set si q'is clam̄ cōmunam p̄ sp̄ale feoffamentū, vel concessionem ad certum numm̄ av̄ioz̄ vel alio modo q'm de jure cōi ħere deberet, cum convencio legi deroget, ħeat suū recup̄are quale ħere deberet p̄ formam concessionis s' fc̃e: occ̃oe molendini vent'cii, Bercar̄, vaccar̄, augmentac̃ois cur̄ necessar̄ aut Curtillag̃ decet̄o non gravetur quis p̄ ass'm nove dissēie de cōmuna pasture. Et cum contingat aliqn̄ qđ aliquis jus ħens appruare se, fossatū aut sepem leav̄it, & aliqui noctant̄ vel alio tali tempe quo non credāt fc̃um suū sciri, fossatum vel sepem prostrav̄int, nec sciri pot̄it p̄ veredc̃m assīe aut Jurate qui fossatum aut sepem prostrav̄int, nec velint homines de villatis vicinis indictare de hujusmodi fc̃o culpabiles, distringant' p̄pinque villate circumadjacentes levare fossatum aut sepem ad custum p̄p'um & dampna restituere. Et cum aliquis jus non ħens cōicandi usurpent cōmunam, tempe quo heredes extit̄int infra etatem, vel ux̄ sub potestate viroz̄ suoz̄ existentes, vel pastura sit in manu tenenciū in dotem, p̄ legem Angł, vel aliter ad m̄inū vite vel annoz̄, vel p̄ feodum talliatū, & pastura illa diu usi fuint, multi sunt in opinione qđ huj⁹modi pasture debent dici p̄tīe ad libum ten̄, & qđ huj⁹modi possessori compet̄e debet accio p̄ breve nove dissc̃ie, si huj⁹modi pastura deforciet'; set decet̄o tenend est qđ ħentes huj⁹modi ingr̄um a tempe quo currit b̄re mortis antecessoris si antea cōmunam non ħuerunt, non ħeant recup̄are p̄ breve nove dissēie si fuerint deforciati.

Provisum est qđ aque de Humbre, Ouse, Trente, Doon, Eyre, Derewent, Werf, Nid, Yore, Swale, Tese, & om̄es alie aque in quibus salmones capiunt' in Regno, ponant' in defenso, quoad salmones capiend, a die Nativitatis beate Marie usq; ad diem sc̃i Martini; et similiter qđ salmunculi non capiantur nec destruant' p̄ recia, vel p̄ aliqua ingenia, ad stagna molend, a medio Aprīt usq; ad Nativitatem b̄i Joh̄is Bap̄t. Et in p̄tib;

[1] Interlined on the Roll.

ubi huj⁹modi riparie fuit assignent' conſvatores istius statuti, qui ad hoc jurati sepius videant & inquirant de t⁹nsgressoribꝫ. Et in p'ma t⁹nsgr̃ puniant' p combustionē reciū & ingenioꝝ suoꝝ. Et si itato deliquerint, puniant' p p'sonā quartii unius anni. Et si cio deliquerint, puniant' p prisonam unius anni, et sic multiplicata t⁹nsgressione, crescet pene infliccio.

De visu terre ordinatum est & statutum, qđ decet̃o non concedatur visus, nisi in casu quando vis⁹ terre est necessarius; sicuti si aliquis amittat teñ p defaltam & ille qui amisit suscitet aliud breve ad petend idem teñ; Et in casu quando quis p aliq⁹m excepc̃oem dilatoriam cassat breve post visum terre, sicut p non tenuram, vel male nōiando villam vel huj⁹modi, si suscitet aliud breve in hoc casu, & supiori, decet̃o non concedat' visus terre dum̃odo h̃uit in prioribꝫ bꝫibꝫ. In brevi de dote cum petit' dos de teñ quod vir uꝰ alienavit tenenti vel ejus antecessori, cum ignorare non debeat tenens, quale teñ vir uxoris alienavit sibi vel antecessori suo, licet vir non obierit seisitus, n'omin⁹ tenenti decet̃o non erit visus concedendus. In brevi eciam de ingressu, cassato p hoc qđ petens male nōiavit ingressum, si petens suscitet aliud breve de aliquo ingr̃u, si tenens in p'ori bꝫi h̃uit visum, in scđo non h̃ebit. In om̃ibꝫ eciam brevibꝫ p que teñ petunt', racc̃oe dimissionis, quam petens vel ejus antecessor fecit tenenti, & non antecessori, sicuti quod ei dimisit dum fuit infra etatem nō compos mentis, in p'sona, & similibꝫ, non jaceat decet̃o visus; set si dimissio fc̃a fuit antecessori, jaceat decet̃o visus sicut p'us.

[*Chaunceler, Tresorer ne Justice, ne nul de Consayl le Roy, ne Clerk de la Chauncelerye, del Escheker, ne de Justice, ne autre Ministre, ne nul del hostel le Roy Clerk ou lay, ne puisse receivre Eglise ne Avoeson de Eglise, ne tere ne tenement, [ne fee, ne par doun[1]] ne par achat ne a ferme, ne a chaumpart, ne en autre manere; taunt come la chose est en plee devaunt no⁹ ou devant nul de noz Ministres, (2) Ne nul loer [ne[3]] seyt pris. E ki (4) ceste chose face, ou par lui, ou par autry, ou nul [baret y face[5]] seyt puni a la volente le Roi ausi bien celui q̃ le purchacera, com celui q̃ le fera.*]

Omnia p̃dc̃a statuta incipiant conservari ad festum sc̃i Mich̃is p̃xim̃ futurū, ita qđ occ̃one delict̃oꝝ contra aliquod p̃dc̃oꝝ statutoꝝ cit⁹ p̃dc̃m festum ꝑpet⁹toꝝ pena delinquentibꝫ, de quibꝫ mencio fit in statutis non infligatur. Sup vero statutis in defc̃um legis & ad remedia editis, ne diucius querentes cum ad Curiam veñint recedant de remedio despati, h̃eant bꝫia sua in suo casu ꝑvisa, set non placitent' usq; ad p̃dc̃m festum sc̃i Mich̃is. (6)

[1] *Rot. Bodl; MS. Harl.* 5022, *omit* ne fee.—nen fee, ne par doun, *MS. Cott. Vesp. B. VII.*—en fee par donn, *Printed Copies.*

[2] ou Justic̃, *MS. Harl.* 5022.

[3] nen } *MS. Cott. Vesp.*
[4] contre }

[5] baret il face, *Old Printed Copies.*—bargain ent face, 2 *Inst.* bargain i face *MS. Cott. Vesp: MSS. Harl.* 395, 5022.—bargayn face *Rot. Bodl.*

[6] Dat̃ apud Westm̃ xxviij. die Junii Anno regni ejusdem Regis Tertio-decimo. *Reg. A. after the Clause in French.*

[fresh '] Waters be, there shall be assigned Overseers of this Statute, which being sworn, shall oftentimes see and inquire of the Offenders. And for the first Trespass, they shall be punished by burning of their Nets and Engines. And for the second Time, they shall have Imprisonment for a Quarter of a Year. And for the third Trespass, they shall be imprisoned a whole Year; and as their Trespass increaseth, so shall the Punishment.

XLVIII. In what Cases a View of Land is grantable.

FOR View of Land It is Ordained and Provided, That from henceforth View shall not be granted but in case when View of Land is necessary; As if one lose Land by Default, and he that loseth, [moveth a Writ [2]] to demand the same Land; and in case when one by an Exception dilatory abateth a Writ after the View of the Land, as by Non-tenure, or misnaming of the Town, or such like, if he purchase another Writ, in this Case, and in the Case before mentioned, from henceforth the View shall not be granted, if he had View in the first Writs. In a Writ of Dower, where the Dower in Demand is of Land that the Husband aliened to the Tenant or his Ancestors, where the Tenant ought not to be ignorant what Land the Husband did aliene to him or his Ancestor, though the Husband died not seised, yet from henceforth View shall not be granted to the Tenant. In a Writ of Entre also, that is abated because the Demandant misnamed the Entre, if the Demandant purchase another Writ of Entre, if the Tenant had View in the first Writ, he shall not have it in the second. In all Writs also where Lands be demanded by reason of a Lease made by the Demandant, or his Ancestor, unto the Tenant, and not to his Ancestor, as that which he leased to him, being within Age, not whole of Mind, being in Prison, and such like, View shall not be granted hereafter; but if the Demise were made to his Ancestor, the View shall lie as it hath done before.

XLIX. Purchasing Title of Lands in Suit.

THE Chancellor, Treasurer, Justices, nor any of the King's Council, no Clerk of the Chancery, nor of the Exchequer, nor of any Justice or other Officer, nor any of the King's House, Clerk ne Lay, shall not receive any Church, nor Advowson of a Church, Land, nor Tenement in Fee, by Gift, nor by Purchase, nor to Farm, nor by Champerty, nor otherwise, so long as the Thing is in Plea before Us, or before any of our Officers; nor shall take no Reward thereof. And he that doth [contrary to this Act,[3]] either himself, or by another, or make any [Bargain,[4]] shall be punished at the King's Pleasure, as well he that purchaseth, as he that doth sell.

L. Commencement of the foregoing Statutes.

ALL the said Statutes shall take Effect at the Feast of St. Michael next coming, so that by occasion of any Offence done on this Side the said Feast, contrary to any of these Statutes, no Punishment, Mention whereof is made within these Statutes, shall be executed upon the Offenders. Moreover, concerning the Statutes provided where the Law faileth, and for Remedies, lest Suitors coming to the King's Court should depart from thence without Remedy, they shall have Writs provided in their Cases, but they shall not be pleaded until the Feast of St. Michael aforesaid.

[1] *such* [2] *purchase another Writ*
[3] *any such Thing* [4] *Fraud therein,*

* This Clause in French is not on the Tower Roll: It is printed from *Reg. A. fo.* 271; where, as in *Rot. Bodl.* and other Manuscripts, it stands as the last Clause of the Statute, after the Sentence beginning 'Omnia p̃dc̃a Statuta:' In all Printed Copies it is inserted preceding that Sentence. *Lib. Rub. Scac. Dublin*; *MS. Cott. Claudius D. II,* (the latter marked 'Ex' p Rot.') and many other Manuscripts, as well of an early as of a late date, omit the Clause. In *Lib. Horn. London,* it is entered as the concluding Clause of the Statute; but in the Margin on one side is written 'Vacat' and on the other side "Exa' hn. Oĩa p̃dc̃a statuta [&c. *the whole concluding Clause as above*:] sic explicit: examinat⁹ p stat̃ Gildaule Londoñ in cera." In *MS. Harl.* 5022, which gives chapter 34 of this Statute in French, this Clause is inserted as above before the Sentence 'Omnia p̃dc̃a Statuta;' and at the end of the Statute is written 'Et irrotulat' in R° statutoꝝ.' In *Lib. Custum. London,* and *MS. Cott. XVI.* where chapter 34. is in Latin, this Clause is omitted. In *MS. Harl.* 79, where Chapter 34 is in Latin, this Clause is inserted in French. In the French Copies of this Statute in *MS. Harl.* 5326; *MS. Reg.* 20 *A. VIII.* this Clause is inserted: In the Latin Copy of the Statute in the same *MS. Reg.* this Clause is omitted. See the Note in page 87, to chapter 34. of this Statute: See also 2 *Inst.* 217, 485: *Mirror, c.* 5. § 5: *Fleta l.* 2. *c.* 36.

Stat' Wynton'.

THE STATUTE of WINCHESTER.

I. FORASMUCH as from Day to Day, Robberies, Murthers, [Burnings, and Theft,'] be more often used than they have been heretofore, and Felons cannot be attainted by the Oath of Jurors, which had rather suffer [Strangers to be robbed, and so pass without pain,[2]] than to indite the Offenders, of whom great part be People of the same Country, or at the least, if the Offenders be of another Country, the Receivers be of places near; and they do the same, because [an Oath is not given unto Jurors of the same Country where such Felonies were done, and to the Restitution of Damages,[3]] hitherto no Pain hath been limited for their concealment and Laches; Our Lord the King, for to abate the power of Felons, hath established a Pain in this case, so that from henceforth, for fear of the Pain more than for fear of any Oath, they shall not spare any, nor conceal any Felonies; And doth command, That [Cries[4]] shall be solemnly made in all Counties, Hundreds, Markets, Fairs, and all other Places where great Resort of People is, so that none shall excuse himself by Ignorance, that from henceforth every Country be so well kept, that immediately upon such Robberies and Felonies committed, fresh Suit shall be made from Town to Town, and from Country to Country.

Fresh Suit shall be made after Felons, from Town to Town.

II. LIKEWISE, when need requires, Inquests shall be made in Towns, by him that is Lord of the Town, and after in the Hundred, and in the Franchise, and in the County, and sometimes in two, three, or four Counties, in case when Felonies shall be committed in the Marches of Shires, so that the Offenders may be attainted. And if the Country will not answer [for the Bodies of such manner of Offenders,[5]] the Pain shall be such, that every Country, that is to wit, the People dwelling in the Country, shall be answerable for the Robberies done, and also the Damages; so that the whole Hundred where the Robbery shall be done, with the Franchises being within the Precinct of the same Hundred, shall be answerable for the Robberies done. And if the Robbery be done in the Division of Two Hundreds, both the Hundreds [and the Franchises within them[6]] shall be answerable; and after that the Felony or Robbery is done, the Country shall have no longer Space than [Forty Days,[7]] within which [forty days[8]] it shall behove them to agree for the Robbery or Offence, or else that they will answer for the Bodies of the Offenders.

Inquests of Felonies.

The Hundred answerable for Robberies.

The Country shall have but Forty Days.

III. AND Forasmuch as the King will not that his People should be suddenly impoverished by reason of this Penalty, that seemeth very hard to many; the King granteth, That [they shall not incur[9]] immediately, but it shall be respited until Easter next following, within which Time the King may see how the Country will order themselves, and whether such Felonies and Robberies do cease. After which Term let them all be assured, that the foresaid Penalty shall run generally, that is to say, every Country, that is to wit, the People in the Country, shall be answerable for Felonies and Robberies done among them.

Commencement of this Statute.

[1] and Burning of Houses
[2] Felonies done to Strangers to pass without pain,
[3] the Oath is not now put unto Jurors; nor, upon the Country where such Felonies were done, as to the Restitution of Damages,
[4] Proclamation
[5] for such manner of Misdoers
[6] together with the Franchises
[7] half a year } *Old Printed Translations: with which MS. Tr.* agrees.
[8] half-year }
[9] *it shall not be incurred*

Ex magno Rot. Stat. in Turr. Lond. m. 41. *

PUR ceo qe de jour en jour roberies, homicides, (1) Arsuns (2) plus soverement sunt fetes qe avaunt ne soleyent, e felonies ne [poount estre atteinz p ꝑment des Jururs, q̃ plus volunters suf]ferent felonies fetes as estraunges genz passer saunz peynes qe enditer meffessours, dunt graunt ptie sunt gent de meimes le pays, [ou a meins, si les [fesours[3]] sont de autre pays, lour] recetturs sunt del visne; e ceo funt il pur taunt qe serment nest mie [hore dute[4]] as Jururs ne au pays ou les felonies furent fetes qaunt a restitucion des damages peyne [avant ne] fu p'veue pur lur concelement e lur lachesce; Nostre Seign' le Rey, pur abatre le poer de feluns, si establit peyne en teu cas, issi qe par pour de la peyne [plus qe par pour de ꝑment] a nuli desoremes ne esparnient, ne nule felonie ne concelent; E comand qe solempnement seit la crie fete, en tuz Cuntez, hundrez, marches, feyres, e tuz [aũs lous ou solempne assemble des gentz] sera, issi qe nul par ignoraunce se pusse escuser, qe checun pays issi desoremes seit garde, qe meintenant apres robies e felonies fetes seit fete si fresche sute de vile [en ville, de pays en pais.]

Enquestes ensement seient fetes si mester est en viles par celui qi soverein est de la vile, e pus en hundrez e en fraunchises e en Cuntez, [& ascun foiz en deux, trois, ou qatre Countees] en cas quaunt felonies serunt fetes en marche de Cuntez, issi qe meffesours pusent estre ateinz. E si le pais de tels mañe de mefesours [ne respoigne, la pein ꝑra tiel, q̃ chescun pais] cest asaũ genz en pais demoraunz, respoignent de robies fetes, e de damages; issi qe tut le hundred ou la robie serra fete, ove les fraunchises qe sunt dedenz la purceint de meime le hundred, respoignent de robie fete. E si la robie seit fete en devises [dedenz[5]] Hundrez respoignent ambedeus les Hundrez ensemblement of les fraunchises; e plus long ꝑme ne aũa le pais, aꝑs la robie e felonie fete, qe [xl. joursz, dedenz les quels[6]] il covendra qil facent gre de la robie e du mefet ou qil respoignent de cors de mefesurs.

E pur ceo qe le Rey ne vueut pas qe gent sodeynement seient espoveri de ceste peyne, qe semblereit dure a aucune gent, graunte qele ne seit mie maintenaunt encorue, mes preigne la peyne respit deqes a la Paske procheine venaunt, e dedenz cel ꝑme verra le Rey coment le pais se portera, e seserunt teles robies e felonies. Apres quel ꝑme tuz seient ꝺteinz qe lavaundite paine curra generaument, ceo est asaũ qe chescun pais, ceo est asaũ genz el pais demoraunz, respoignent des robies e felonies fetes en lur pais.

[1] e *Lib. Horn.* [2] et Larcenies *Old Printed Copies.*
[3] meffesours *Rot. Scac: Lib. Horn.*
[4] ore dute *Rot. Claus.* ore dote *Rot Scac: Lib Scac. X: Lib. Horn.*
[5] de deux *Rot. Claus: Rot. Scac: Lib. Horn.*
[6] denty an de dens le quel *Rot. Scac. wherewith many Manuscripts, and the Old Printed Copies agree.*
quarant jours, deinz les queux *Stat.* 28 *Ed. III.* [*c.* 11]
xl. jours, dedeins les queux jours *Lib. Horn.*
quarant jours dedeinz les queux *Rot. Claus.*

* On the Close Roll 5 *Ric. II. m.* 13, *d*, is entered a Writ to the Sheriffs of London, dated March 3, for the Proclamation and Observance of this Statute of Winchester, reciting the Statute at length; with a Note that like Writs were then sent to all the Sheriffs throughout England. The Entry on the Statute Roll 13 Edward I. being in part defaced and illegible, the Words deficient are supplied in the Text from the Entry on the Close Roll of Richard II, and are printed between Brackets, without any Figure of Reference. A small Roll of the time of Edward I. containing only this Statute of Winchester, is preserved among the Records of the Treasury of the Court of the Receipt of the Exchequer in the Chapter House Westminster: At the top of the Roll is written "Ces sunt les estatuz fes a Wyncestre en le an le Rei Edward Tressime:" The Quotations from this Roll are marked *Rot. Scac.*

E a plus seurer le pais, ad le Rey comaunde qe en les graunz viles, qe sunt closes, les portes seient fermes del solail rescuse deqes au solail levaunt; e qe nul home ne herberge en suburbe, ne en forein chief de la vile, si de jour noun, ne uncore de jour si le hoste ne voille pur lui respundre; e les Baillifs de viles chescune semeine, ou ameins quinzeine facent enquestes de genz herbgez en suburbes, [e[1]] en foreins chefs de viles; e sil trovent nul herbgour, [qi resceive ou fiberge en autre manle gent,[2]] dunt suspeciun seit qil soient gent countre la pes, si enfacent les Baillifs dreiture. E desoremes est comaunde, qe veylles soient fetes, issi cū auncienemēt soleyent estre, ceo est asavl del jour de la Ascenciun deqes le jour Seint Michel, en chescun Cite ([3]) sis homes, en chescune porte, en chescun burgh par xij. homes, en chescune vile [en tre[4]] par vj. homes ou iiij. solom numbre des genz qi abitent ([5]), e facent [la veille[6]] continuelement tute la nuit del solail rescusse jeqes al solail levaunt. E si nul estraunge passe par eus seit arestu jeqes au matin; E si nule suspeciun ne seit trove auge quites; E si em trove suspeciun, seit livere al viscunte maintenaunt, [e saunz daungl le receive, e sauvement le garde,[7]] jeqes a taunt qe en due manle seit delivre. E si eus ne se soeffrent pas estre aresteuz seit heu e cri leve sur eus, e ceus qi funt la veille les siwent o tute la vilee [ove les visnees viles,[7]] o heu e cri de vile en vile, jesqes taunt qil serra pris e livrez au Viscunte, cum est avauntdit; E pur le resteiment de tels estraunges, nul ne seit enchesune.

Comaunde est ensement qe les hauz chemins des viles marchaundes, as autres viles [marchaundises[8]] seient enlargiz, la ou il iad bois, ou haies, ou fossez, issi qil nieit fosse, suthboys, ou bussuns, ou lem peut tapir pur mal fere pres del chemin, de deus centz pez de une part e de [deus centz pars[9]] de autre part, issi qe cet estatut point ne estende [as keynes, ne[7]] as [gros[10]] fusz, par qei ceo seit cler desuz. E si par defaute de Seignr, qi ne vodra fosse, subois, ou bussuns, en la furme avauntdite abatre, e roberies seient fetes, si respoygne le Seygnr; E sil ieyt murdre, si seit le Seignr reint a la volunte le Rey. E si le Seignr ne suffist a suzbois abatre si lui aide le pais a ceo fere. E le Rei veut qe en ses demeines tres, e boys dedenz foreste, e dehors, seient les chemins enlargiz, cum avaunt est dit. E si par cas park seit pres del haut chemin, si covendra qe le Seignr del park amenuse sun park, jeqes ataunt [qil ieyt la leyse[11]] [de deus centz pez, pres del haut chemin,[12]] cum avaunt est dit, ou qe il face tel mur, fosse ou haye qe meffesurs ne pussent passer ne returner pur mal fere.

Comaunde est ensement qe chescun home eit en sa mesun armure pur la pees garder, solum la aunciene assise; ceo est assavl qe chescun home entre quinze annz e seisaunte soit asis e jure as armes, solum la quantite de lur tres e de lur chateus; ceo est assavl, a quinze liveree des tres, e chateus de quaraunte mars, [hauberg,[13]] chapel de feer, espe, cutel e cheval; A disz liveree de tre, e chateus de vint mars, [haubgeun,[14]] chapel, espe, e cutel; [A cent [soucheesz[15]] de tre

[1] ou *Rot. Claus.* [2] ke herberge gent ou recette en auter manere, ou gent *Rot. Scac.*
[3] par *Rot. Scac*; *Lib. Horn.*
[4] entiere *Rot. Claus*: *Rot. Bodl.* [5] en la Vile *Rot. Scac.*
[6] la Vile garder *Rot. Scac.* [7] *Rot. Scac.* omits.
[8] marchaundes *Rot. Claus*: *Rot. Scac.*
[9] ij.C. pees *Rot. Claus.*—deus cent pes *Rot. Scac.*
[10] gntz *Rot. Claus.*
[11] { qil y eit la leeste *Rot. Claus.*—qil i ad la leeste *Rot. Bodl.* / ke la leise seit *Rot. Scac.*—qe ly eit la leeste *Lib. Horn.*
[12] ps deu chemin deus cent pes de une part, e deus cent pes de aul part, *Rot. Scac.*
[13] hauberk *Rot. Claus.*—hauberc *Rot. Scac.*
[14] haubgeon *Rot. Claus*: *MS. Cott.* hauberc *Rot. Scac*; *Lib. Horn.*
[15] souldz *Rot. Claus.*

AND for the more Surety of the Country, the King hath commanded, that in great Towns, being walled, the Gates shall be closed from the Sun-setting until the Sun-rising; and that no man do lodge in Suburbs, nor [in any place out of the Town, from nine of the Clock until Day,[1]] without his Host will answer for him; and the Bailiffs of Towns every Week, or at the least every Fifteenth Day, shall make Inquiry of all Persons being lodged in the Suburbs, or [in foreign Places[2]] of the Towns; and if they do find any [that have lodged or received any Strangers or suspicious person, against the peace,[3]] the Bailiffs shall do right therein. And the King commandeth, that from henceforth [all Towns be kept,[4]] as it hath been used in times passed, that is to wit, from the Day of the Ascension unto the Day of St. Michael, in every City [Six Men shall keep[5]] at every gate, in every Borough ([6]) Twelve Men, ([7]) every Town ([8]) Six or Four, according to the Number of the Inhabitants of the Town, and ([9]) shall watch the Town continually all Night, from the Sun-setting unto the Sun-rising. And if any Stranger do pass by them, he shall be arrested until Morning; and if no Suspicion be found, he shall go quit; and if they find cause of Suspicion, they shall forthwith deliver him to the Sheriff, and the Sheriff may receive him without Damage, and shall keep him safely, until he be [acquitted[10]] in due Manner. And if they will not obey the Arrest, they shall levy Hue and Cry upon them, and [such as keep the Town shall follow with Hue and Cry with all the Town, and the Towns near, and so Hue and Cry shall be made from Town to Town,[11]] until that they be taken and delivered to the Sheriff, as before is said; and for the Arrestments of such Strangers none shall be punished.

IV. At what Time the Gates of Towns shall be opened and shut.

Lodgers in the Suburbs.

At what Time the Night-watch shall begin and end.

Strangers may be arrested by the Watch.

Or Hue and Cry made after them.

AND Further, It is commanded, That Highways leading from one Market Town to another shall be enlarged, whereas [Bushes Woods[12]] or Dykes be, so that there be neither Dyke [Tree[13]] nor Bush, whereby a Man may lurk to do hurt, ([14]) within two hundred foot of the one side, and two hundred foot on the other side of the way, so that this Statute shall not extend unto [Ashes,[15]] nor unto great Trees, [for which it shall be clearly out of this.[16]] And if by Default of the Lord that will not abate the Dyke, Underwood or Bushes, in the manner aforesaid, any Robberies be done therein, the Lord shall be answerable for the Felony; and if Murther be done the Lord shall make a Fine at the King's Pleasure. And if the Lord be not able to fell the Underwoods, the Country shall aid him therein. And the King willeth, that in his demean Lands and Woods within his Forest and without, the Ways shall be enlarged, as before is said. And if percase a Park be [taken from[17]] the Highway, it is requisite that the Lord shall [set[18]] his Park [the space of two hundred foot from the Highways,[19]] as before is said, or that he make such a Wall, Dyke, or Hedge, that Offenders may not pass, ne return to do evil.

V. Highways to Market Towns shall be enlarged.

The Lord answerable.

Parks adjoining Highways.

AND Further, It is commanded, That every Man have in his house Harness for to keep the Peace after the antient Assise; that is to say, Every Man between fifteen years of age, and sixty years, shall be assessed and sworn to Armor according to the quantity of their Lands and Goods; that is to wit, [from[20]] Fifteen Pounds Lands, and Goods ([21]) Forty Marks, an Hauberke, [a Breast-plate[22]] of Iron, a Sword, a Knife, and an Horse; and [from[20]] Ten Pounds of Lands, and Twenty Marks Goods, an Hauberke, [a Breast-plate of Iron,[23]] a Sword, and a Knife; and [from[20]] Five Pound Lands,

VI. What Armor each Person shall have in his House.

[1] in any foreign part [ate outmost hende *MS. Tr.* 1;] of the Town, but in the Day-time, nor yet in the Day-time,
[2] in foreign Parts—*MS. Tr. reads* ate ferreste Ende
[3] that do lodge, or receive in any manner, Men of whom there is suspicion that they be People against the peace,
[4] Watches be made [5] by six Men [6] by
[7] in [8] by [9] they [10] delivered
[11] the Watchmen shall follow them with all the Town and the neighbour Towns, with Hue and Cry from Town to Town,
[12] Woods, Hedges, [13] Underwood
[14] *near to the way* [15] *Oaks* [hokes *MS. Tr.* 1.]
[16] so as it be clear underneath.
[17] near to [18] minish
[19] *so that there be a Border of two hundred foot near the Highway,*
[20] for [21] of
[22] helme [hat *MS. Tr.* 1.] [23] an helme [hat *MS. Tr.* 1.]

[a Doublet,'] [a Breast-plate [2]] of Iron, a Sword, and a Knife; and from Forty Shillings Land and more, unto One hundred Shillings of Land, a Sword, a Bow and Arrows, and a Knife; and he that hath less than Forty Shillings yearly, shall be sworn to [keep Gis-armes,[3]] Knives, and other [less Weapons [4]]; and he that hath less than Twenty Marks in Goods, shall have Swords, Knives, and other [less Weapons [5]]; and all other that may, shall have Bows and Arrows out of the Forest, and in the Forest Bows and [Boults.[5]] And that View of Armor be made every Year Two Times. And in every Hundred and Franchise Two Constables shall be chosen to make the View of Armor; and the Constables aforesaid shall present before Justices assigned ([6]) such Defaults as they [do see in the Country [7]] about Armor, and [of the Suits of Towns,[8]] and of Highways; and also shall present [all such as do lodge Strangers in uplandish Towns,[9]] for whom they will not answer. And the Justices assigned shall present [at every Parliament unto the King such Defaults as they shall find [10]] and the King shall provide Remedy therein. And from henceforth let Sheriffs take good Heed, and Bailiffs [within their [11]] Franchises and without, [be they higher or lower,[12]] that have any Bailiwick or Forestry in Fee, or otherwise, that they shall follow the Cry with the Country; [and after, as they are bounden, to keep Horses and Armor, or so to do; [13]] and if there be any that do not, the Defaults shall be presented by the Constables to the Justices assigned, and after, by them to the King, [and the King will provide Remedy] as afore is said. And the King commandeth and forbiddeth, that from henceforth neither Fairs nor Markets be kept in Church-Yards for the Honour of the Church.

View of Arms.

Presentment of Offences against this Statute.

Fairs and Markets shall not be kept in Church-yards.

Given at Winchester, the Eighth of October, in the Thirteenth Year of the Reign of the King.

[1] porpoint *MS. Tr.* 1. [2] an helme
[3] fause gisarmes *MS. Tr.* 1. [4] small armes *MS. Tr.* 1.
[5] piles *MS. Tr.* 1.
[6] when they shall come into the Country,
[7] shall have found [8] of Suits, and of Watches,
[9] men that hereboureth opelond *MS. Tr.* 1.
[10] the same at every Parliament unto the King
[11] of [12] greater or lesser
[13] and, as they are in ability, to keep Horses and Armour, so to do;

parpoint, chapel de feer, espe e cutel;'] A quaraunte [souch - - -[2]] de tre, e de plus jeqes a Cent souz, espe, ark, setes e cutel; E qe meins ad [de[3]] quaraunte souze de tre [seit jure a faus gisarmes, cuteus[4]] e autres menues armes; ([5]) [qi meins ad de chateus de vint mars espees cuteus e autres menues armes.[6]] E tuz les autres, qi av pount, eient arcs [e setes hors de forestes, e dedenz forestes arcs e piles.[7]] E qe veue des armes, soit fete deus foiz par an. E en chescun hundred e fraunchise seyent eleus deus Conestables, a fere la veue des armes; e les Conestables avauntdiz psentent devaunt les justices assignez, quant il vendrunt en pays, les defautes qil averount trovez de armeure; e [de suites de veilles,[8]] e de cheminz; E psentent ausi de [genz, qi herbgent genz estraunges[9]] en viles de uppelaund, pur queus il ne volent respundre. E les Justices assignez en chescun parlement repsentent au Rey, e le Rey sur ceo en fra remedie. E bien se gardent desoremes, Viscuntes, Baillifs de fraunchises e dehors greignurs ou maindres, qi baillie [ou foresterie unt[10]] en fee ou en autre mane, qil siwent le cri ove le pays; E soluin ceo qil sunt, eient chevaus e armeure a ceo fere; E si nul seit qi nel face, seient les defautes psentez par les Conestables as Justicez assignez, e puis apres par eus au Rey cum avaunt est dit. E comaunde le Rey e defend, qe feire ne marche desoremes ne soient tenuz en cimet pur honur de Seinte Eglise. Done a Wyncestre, [le utisme jour de Octobr,"] le an du regne le Rey, ([12]) Trezime. ([13])

[1] *Rot. Scac.* omits. [2] souldz *Rot. Claus.* [3] ke *Rot. Scac.*
[4] seent jores a gisarmes *Rot. Scac.*
[5] Et *Rot. Claus.* [6] *Rot. Scac.* omits.
[7] setis en foreste & hors de foreste. *Rot. Scac.*
[8] { de sutez de villes *Rot. Claus: Rot. Bodl.*
{ de suyte de viles *Rot. Scac.*—de suytes des viles *Lib. Horn.*
[9] gent estrange herbiges *Rot. Scac.*
[10] unt en foreste ou de hors, ou *Rot. Scac.*
[11] *Rot. Scac.* omits.—le vintisme jour de Septembre *Rot. Bodl.*
[12] Edward *Rot. Scac: Rot. Bodl.*
[13] Renouvele & asseale a Everwyk lan de son regne vint & oytisme *MSS. Harl.* 858, 1208.

Statutum Mercatorum.

The STATUTE of MERCHANTS.

*Ex magno Rot. Stat. in Turr. Lond. m. 46 d.**

FORASMUCH as Merchants, which heretofore have lent their Goods to divers Persons, be fallen in Poverty, because there is no speedy Remedy provided, whereby they may shortly recover their Debt at the Day of Payment; and for this cause, many Merchants do refrain to come into the Realm with their Merchandize, to the damage of such Merchants and of all the Realm; The King ([1]) and his Council at his Parliament holden at Acton Burnel, after the Feast of St. Michael, the Eleventh year of his Reign, [hath ordained these Establishments [2]] thereupon for the Remedy of such Merchants; which Ordinances and Establishments the King [commandeth that they shall [3]] be firmly kept and observed throughout this Realm, whereby Merchants [may have [4]] Remedy and less [trouble and business [5]] to recover their Debts, than they have had heretofore: But

[1] *by himself* [2] *did make and ordain an Establishment*
[3] *did command that they should* [4] *have had*
[5] *loss and trouble*

PUR ceo qe Marchaunz qi avaunt ces hures unt preste lur aver a divs genz, sunt cheuz en povte pr ceo qe il ni avoit pas si redde ley pvewe par la quele il poeient lur dettes hastivement recoverir au jour assis de paye; E par cele encheson sunt mulz des marchaunz sustrez de venir en ceste terre ove lur marchaundises, a damage des marchaunz e de tut le reaume; Le Rey par luy e par sun counseil a sun parlement, qe il tint a Actoñ Burnell, aps la Seint Michel le an de sun regne unzime, fist e ordina establissement sur ceo a remedie des marchaunz, le quel ordeinemēt e establisement le Rey comaunda qe tenuz fuissent e fermement gardez en tut sun Reaume, dunt marchaunz unt eu remedie, e a mains meschief e travail unt recovre lur dettes, qe avaunt ne soleient: Mes pr ceo qe marchaunz puys

* The Entry of this Statute is on the Back of that Membrane of the Roll which contains the Statute of Merchants, 11 Edw. I.

The following Memoranda are subjoined at the End of the Statute; the latter of them in a Hand-writing of the Time of Edward II.

Consimile statutū de verbo ad verbum ẽnt Major & Cives Exoñ.

Mđ qđ statutū đđm consigñ fuit in forma subscipta & lbatū Wilto de Bodemynñ deferend p ipm cōitati ville de Lostwythiel. Edwardus dei gra, &c. omibz ad quos, &c. saltm. Inspeximꝰ statutū ncatoz editū tempore dñi E. qondā Regis Angl pris nri in hec verba. Pur ceo q marchanz, &c. Quod qdem statutū p recognicōibz juxta formā ejusdē statuti in villa de Lostwythiel accipiend ad candē villā duximꝰ trnsmittend. In cujꝰ &c. T. R. ap Londoñ xcio die Septembr anno r sui qnto.

This Statute is also entered in *Register A.* in the Chapter House at Westminster, fo. .; with the following Title:
Statuta p ncatoribz & malis debitoribz.

se pleindrent al Rey qe Viscuntes [qi [1]] malement enꝑpterent sun statut, e aconefei par malice e par mal enꝑpreteison delaerent lexecucion del statut a g^nt damage des marchaunz, le Rey a sun Parlement a Westm̃ apres Pask, lan de sun regne troizime, fist reciter lavauntdit statut fet a Actoñ Burnell; E pur declarerer aquns articles de sun statut avauntdit ad ordine e establi, qe marchaunt qi veut estre seur de sa dette face venir sun dettur devaunt le meyre de [Appelby,[2]] ou devaunt autre chief gardeyn de vile ou de autre bone vile ou le Rey ordinera; E devaunt le meire, ou chief gardein, ou autre prodhome a ceo esleu e jure, quaunt meire ou chief gardeyn ne poet entendre, e devaunt un des clers, qi le Rey a ceo atornera qaunt ambedeus ne poent entendre, conusse la dette, e jour de la paie, e seit la conoissaunce ēroullee de la main del un des clers avauntdiz qi serra conue, e le Roule duble, dunt le un demorge vers le meire ou chief gardein, e lautre ꝟs le Clerk qi a ceo p'mes ꝟra nome; E estre ceo un des avauntdiz clers de sa main face le escrit de obligacion a quel escrit seit mis le seel del Dettur ove le seel le Rey, qe a ceo est purveu, le quel seel ꝟra de deus pieces, dunt la greignour piece demorra en la garde le meire ou chief gardein, E lautre piece en la main le Clerk avauntdit. E si le dettur ne rende al jour qe lui est assis, si veigne le marchaunt al Meyre e al Clerk, ove sa lettre de obligacion; E si trove seit p roule ou par lettre qe la dette fust conue, e le jour assis seit passe, si face le Meyre ou chief gardeyn prendre le cors al dettur sil est lay, quel houre qe il seit trove en sun poer, e liverer a la p'son de la vile, si prison iseit, e la demoerge a ses custages propres desqe ataunt qil eit fet gre de la dette. E comaunde est qe le gardein de la p'son de la vile le reteigne par la livere del meyre ou le gardeyn; E sil nele voille receivre, si respoigne meintenant le gardein de la p'son de la dette, sil eit de qei: E sil nad de qei, si respoigne celui qi la p'son luy bailla [a garder [3]]; E si le dettur ne poet estre trove en le poer del meyre ou chief gardein, dunqe maund le meyre ou chief gardein, desuz le seel le Rey avauntdit al Chaunceler, la conoissaunce fete de la dette; E le Chaunceler envoie bref al Viscunte, en qi baillie le dettur ꝟra trove, qil preigne son cors, sil est lay, e en sauve p'son le garde desqe ataunt qil eit fet gre de la dette; E dedenz un quarter del an, apres ceo qe il serra pris, eit ses chateus e ses ꝟres delivres, issint qe par les soens puisse lever e paier la dette; E bien luy list, dedenz le quarꝛ, ꝟre & tenement vender p^r ses dettes aquiter, E sa vente serra ferme & estable. E sil ne face gre dedenz le quarꝛ [4] passe, seient livez au marchaunt touz les biens del dettur, e totes ses ꝟres par resnable estent, a tenir desqe ataunt qe la dette pleinement ꝟra levee, E ja le plus tart le cors demoerge en p'son cum avaunt est dit; E le marchaunt luy truisse pain e ewe; E eit le marchaunt en ceuls tenemenz a luy livez, ou son assigne tele seisine qil puisse porꝛ bref de novele disseisine sil seit engete, e redeseisine autresi cū de frank tenement, a tenir a lui e a ses assignez, taunt qe la dette sait paiee; Apres la dette levee e paee seit le cors al dettur delivre ove sa ꝟre. E en le bref, qe le Chaunceler enverra, seit mencion fet qe le Viscunte ꝛtefie les Justices del un baunc ou del autre, coment il ava furni le comaundement le Rey a un ꝛtein jour. A quel jour le marchaunt, si sun gre ne soit fet, sue devaunt les Justices; E si le Viscunte ne returne nul bref, ou returne qe le bref vint trotart, ou qil ad

[1] Printed Copies omit.
[2] Lundres *Reg. A: MS. Cott. Claud. D. II.*
[3] Interlined on the Roll; *Reg A.* omits.
[4] apres le quarter *Reg. A.*

Forasmuch as Merchants after complained unto the King, that Sheriffs misinterpreted his Statutes, and sometimes by Malice and false Interpretation delayed the execution of the Statute, to the great damage of Merchants; the King at his Parliament holden at Westminster after Easter, the Thirteenth Year of his Reign, caused the said Statute made at Acton Burnel to be rehearsed; and for the Declaration of certain articles in the Statute aforesaid, hath ordained and established, That a Merchant who will be sure of his Debt, shall cause his Debtor to come before the Mayor of London, or before some chief Warden of a City or of another good Town, where the King shall appoint; and before the Mayor and chief Warden, or other sufficient [Men [1]] chosen and sworn thereto, when the Mayor or chief Warden cannot attend, and before one of the Clerks, that the King shall thereto assign, when both cannot attend, he shall knowledge the Debt and the Day of Payment; and the Recognisance shall be inrolled by one of the Clerks hands being known, and the Roll shall be double, whereof one part shall remain with the Mayor or chief Warden, and the other with the [Clerks [1]] that thereto shall be first named; and further, one of the said Clerks with his own hand shall write an Obligation, to which writing the Seal of the Debtor shall be put with the King's Seal, provided for the same Intent; which Seal shall be of two Pieces, whereof the greater Piece shall remain in the custody of the Mayor, or the chief Warden, and the other Piece in the keeping of the foresaid Clerk. And if the Debtor do not pay at the Day limited unto him, then shall the Merchant come to the Mayor and Clerk with his Obligation; and if it be found by the Roll or Writing, that the Debt was knowledged, and the Day of Payment expired, the Mayor or chief Warden shall cause the Body of the Debtor to be taken, if he be Lay, whensoever he happeneth to come in their power, and shall commit him to the Prison of the Town, if there be any, and he shall remain there at his own Costs, until he hath agreed for the Debt. And It is commanded that the Keeper of the Town Prison shall retain him upon the delivery of the Mayor or Warden; and if the Keeper ([3]) [shall not [4]] receive him, he shall be answerable for the Debt, if he have whereof; and if he have not whereof, he that committed the Prison to his keeping shall answer. And if the Debtor cannot be found in the power of the Mayor or chief Warden, then shall the Mayor or chief Warden send into the Chancery, under the King's Seal, the Recognisance of the Debt; and the Chancellor shall direct a Writ unto the Sheriff in whose Shire the Debtor shall be found, for to take his Body, if he be Lay, and safely to keep him in Prison until he hath agreed for the Debt; and within a Quarter of a Year after that he is taken, his Chattels ([5]) shall be delivered him, so that by his own he may levy and pay the Debt; and it shall be lawful unto him, during the same Quarter, to sell his Lands and Tenements for the discharge of his Debts, and his Sale shall be good and effectual. And if he do not agree within the Quarter, [next [6]] after the Quarter expired, all the Lands and Goods of the Debtor shall be delivered unto the Merchant by a reasonable Extent, to hold them until such Time as the Debt is wholly levied; and nevertheless the Body shall remain in Prison as before is said; and the Merchant shall find him Bread and Water; and the Merchant shall have such Seisin in the Lands and Tenements delivered unto him, or his Assignee, that he may maintain a Writ of Novel Disseisin, if he be put out, and Re-disseisin also, as of Freehold, to hold to him and his Assigns until the Debt be paid; and as soon as the Debt is levied ([7]) the Body of the Debtor shall be delivered with his Lands. And in such Writs as the Chancellor doth award Mention shall be made, that the Sheriff shall certify the Justices of the one Bench or of the other, how he hath performed the King's Commandment, at a certain day; at which day the Merchant shall sue before the Justices, if Agreement be not made; and if the [Sheriffs [8]] do not return the Writ, or do return that the Writ came too late, or that he hath directed it

The Form of acknowledging of a Statute Merchant.

Sealing of such Statute.

Creditor's remedy if the Debt be not paid.

Certificate of the Statute into Chancery.

Within what Time the Debtor may sell his Land.

What Estate the Merchant shall have in the Debtor's Lands.

[1] *man* [2] *Clerk* [3] *of the Prison*
[4] will not [5] and Lands [6] then,
[7] *and paid* [8] Sheriff

[*See Stat. Westm.* 2. c. 39.]

to the Bailiffs of some Franchise, the Justices shall do as it is contained in the latter Statute of Westminster. And if in case the Sheriff return, that the Debtor cannot be found, or that he is a Clerk, the Merchant shall have Writs to all the Sheriffs where he shall have Land, [and [1]] that they shall deliver unto him all the Goods and Lands of the Debtor by a reasonable Extent, to hold unto him and his Assigns in the form aforesaid; and [at the last [2]] he shall have a Writ to what Sheriff he will, to take his Body, if he be Lay, and to retain it in manner aforesaid. And let the Keeper of the Prison take heed, that he must answer for the Body or for the Debt. And after the Debtor's Lands be delivered to the Merchant, the Debtor may lawfully sell his Land, so that the Merchant have no damage [of the [3]] Approvements. And the Merchants shall always be allowed for their Damages and all [Costs, Labours, Suits, Delays, and Expences reasonable.[4]] And if the Debtor find Sureties, which do acknowledge themselves to be principal Debtors, after the day passed, the Sureties shall be ordered in all Things as is said of the principal Debtor, as to the Arrest of Body, Delivery of Lands, and other Things. And when the Lands of the Debtors be delivered unto the Merchant, he shall have Seisin of all the Lands that were in the hand of the Debtor, the day of the Recognizance made, in whose hands soever that they come after, either by Feoffment or otherwise. And after the Debt paid, [the Debtor's Lands and the issues of Lands of Debtors by feoffment shall return again, as well to the Feoffee, as the other Lands unto the Debtors.[5]] And if the Debtor or his Sureties die, the Merchant shall have no Authority to take the Body of his Heir, but he shall have his Lands, as before is said, if he be of age, or when he shall be of full age; [until he hath levied of the Lands the amountance and value of the Debt.] And a Seal shall be provided, that shall serve for Fairs, and the same shall be sent unto every Fair under the King's Seal by a Clerk sworn, or by the Keeper of the Fair [, And of the Commonalty of the Merchants of the City of London Two Merchants shall be chosen, that shall swear [6]] and the Seal shall be opened before them; and the one Piece shall be delivered unto the foresaid Merchants, and the other shall remain with the Clerk; and before them, or one of the Merchants, if both cannot attend, the Recognizances shall be taken, as before is said. And before that any Recognizance be inrolled, the pain of the Statute shall be openly read before the Debtor, so that after he cannot say, that any did put another Penalty than that whereto he bound himself. And to maintain the Costs of the said Clerk, the King shall take of every Pound a Penny, in every Town where the Seal is, except Fairs, where he shall take one penny halfpenny of the Pound. This Ordinance and Act the King willeth to be observed from henceforth throughout his Realm of England and Ireland, [amongst the which People they that will may make [7]] such Recognisances, except Jews to whom this Ordinance shall not extend. And by this Statute a Writ of Debt shall not be abated; and the Chancellor, Justices of the one Bench and the other, the Barons of the Exchequer, and Justices Errants, shall not be estopped to take Recognisances of Debts, [before them knowledged and made.[8]] But the Execution of Recognisances made before them shall not be done in the Form aforesaid, but by the Law [and manner before used, and [9]] otherwise provided in other Statutes.

How the Debtor's Sureties shall be used.

What Lands shall be extended.

The Heir's Lands, but not his Body, shall be extended.

A Seal for Fairs.

The Statute to be read to the Debtor.

The King's Duty upon a Statute acknowledged.

This Act shall not extend to Jews.

Writ of Debt not abated.

The Chancellor, Justices, &c. may take Recognizances as heretofore.

[1] Old Printed Copies omit this Word.
[2] nevertheless [3] *from his*
[4] necessary and reasonable Costs, in their Labours, Suits, Delays, and Expences.
[5] *the Lands which were out of the Debtor by Feoffment shall return back to the Feoffee, in like manner as the other Lands shall to the Debtors.*
[6] *. And by the Keeper of the Fair, and the Commonalty of Merchants, two lawful Merchants of the City of London shall be chosen, who shall take the Oath,*
[7] between any that will of their own accord make
[8] *from any who will make such before them.*
[9] *usage and manner*

maunde al baillifs de la fraunchise, si facent les Justices solom ceo qil est cõtenu en le drein statut de Wemusꝑ. E si par cas le Viscunte maunde qe le dettur nest pas trove, ou seit clerk, si eit le marchaunt bref a tuz les Viscuntes ou il aṽa terre, qil lui liṽent tuz les chateus e les tenemenz al dettur par resnable estent a tenir a luy e a ses assignez en la furme qe est avauntdite; E ja le plus tart, eit bref a quel Viscunte qil vodra de prendre son cors, sil est Lay, e tenir en la furme avauntdite. E bien se garde le gardein de la pˢsun qil luy covendra respundre del cors, ou de la dette. E apres ceo qe les ꝑres al dettur serrunt liṽeez al marchaunt bien lirra au dettur sa ꝑre vendre issint qe le marchaunt neit damage de ses approumenz. E sauvez seient touz jours al marchaunt damages, e chescunz custagez necessaires e resunnables en tᵉvails, sutes, delaies e en despenses. E si le dettur truisse plegges, qi se conoissent estre pˢncipals detturs, apres le jour passe seit fet des plegges en totes choses cũ est dit del principal dettur, quant a cors prendre e ꝑres liṽer, e autres choses. E qᵉnt les ꝑres al detturs ꝺrunt liṽez as marchaunz, si eit seisine de totes les ꝑres, qe furent en la main le dettur, le jour qe la conoissaunce fu fete, en qi mein qe eles ꝺrunt apres devenuz, ou par feffement, ou par autre maꝺe. E apres la dette paie, les ꝑres [issuez del dettur [1]] par feffement, retˢnent autresi bien arere al feffe cũ les autres ꝑres as detturs. E si le dettur ou plegge moerge, point neit le marchaunt [recoverir [2]] a prendre le cors le Eir, mes a ses ꝑres cũ avaunt est dit, sil est de age, ou qᵉnt il ꝺra de age. E seit purveu un seel qi ꝺve as feires; E i ceo seel ꝺra envoie a chescune feire desuz le seel le Rey par un clerk [Jure. E par le Gardein [3]] de la feire e (ᵗ) la cõmunaute des marchaunz seient elluz deus leus marchaunz de la cite de Lundres qil facent le serment; e devaunt eus seit le seel oṽt; E la une peece seit baille as avauntdiz marchaunz, e lautre demoerge ꝺs le clerk; E devaunt eux oṽ le un des marchaunz, si amdeus ni poent estre, seient les conoissaunces fetes cũ devaunt est dit. E avaunt ceo qe nule reconoissaunce seit enroullee seit la peine del statut aptement leu devaunt le dettur, issint qil ne puisse autrefoiz dire qe lom li met autre peine, qe icele au quele il se ȯbliga. E a sustenir les custages del avauntdit clerk, si prendra le Rey de chescune livre un deṽ en chescune vile ou le seel ꝺra, horepris Faire ou il prendra treis mailles de la livre. Cest ordeinement e establisement veut le Rei qe desoremes seit tenu par tut sun reaume de Engleᵗre e de Irlaunde, entre quelsz genz, qi ceo soient, qi de lour eindegre vodrunt tele reconoissaunce fere, forspˢs Jeus, as queus cest establisement ne sestent pas. E par cest establisement ne seit pas bref de dette abatu: E ne seient pas le Chaunceler, Baruns del Escheker, Justices del un baunc e del autre e Justices erraunz [forclos [5]] de prendre reconoissaunces de dettes de eus qi devaunt eux les vodrunt fere; mes les execucions des conoissaunces devaunt eus fetes nen seient pas fetes par la furme avauntdite, mes p la ley, e le usage, e la maꝺe pˢveue aillors en autre estatut. (*a*)

[1] { issuez des dettours *MS. Cott.* / issues des dettours *Reg. A.*
[2] pouvoir *Printed Copies.*
[3] { juree a p le gardein *Reg. A.* / jure ou p son gardein *Old Printed Copies.*
[4] par *Printed Copies.* [5] Interlined on the Roll.

(*a*) Bref de la Chauncelerie sur ꝺe le estatut.

Breve. Rex viĉ salt̃m. Quia A. coram tali Majore, vt Custode tal̃ vill̃, vt corᵃm Custodibꝫ sigill̃i nr̃i de ꝺcatoribꝫ in Nundinis de tali loco recognov̄t se debe B. tantũ quod ei reddidisse debu̇t tali die & nõdum reddidit, ut dicit̄, t̄ ꝑcipimꝰ qd̃ corpus ꝑdĉi A. capias & in pˢsona nr̃a salvo custodias, quousq; ꝑdĉo B. de ꝑdicto debito satisfeĉit. Et qual̃ istud ꝑceptũ nr̃m fuis executus, scire faĉ Justiĉ nr̃is apud Westm̃ tal̃ die vt nob̄ p ł̃ras tuas sigill̃atas. Et ł̃eas &c. Dat̃ apud Westm̃, xxviij die Junii Anno Regni nostri, Tertio decimo. *Reg. A.*

Statutū Circumspecte Agatis.

THE STATUTE OF CIRCUMSPECTE AGATIS.

*Ex MS. Cott. Claud. D. II. fo. 249, b.**

(1)CIRCUMSPECTE agatis de [negocio tangente 2] Dñm Epm Norwicen & (3) Clerum, non puniendo eos si plita tenuint (4) de hiis que mere sunt spualia, videlt de correccõibz q^s Prelati faciunt p mortali pccõ videlt fornicacõe adultio & huj^o p quibz aliq^s ndo infligit^r pena corporalis aliq^s ndo pecuniaria, maxime si convictus sit de hj^o lib homo.

Item si Prelatus (5) p Cimitio non clauso, ecclia discoopta vel non decent^r ornata, in quibz cãibz alia pena non potest infligi q^s m pecuniaria [penam imponat.5]

Item si Rector petat [decimam majorem vel minorem dũmodo non petat^r quarta pars alicujus 6] ecclie.

Item si Rector petat mortuarium in ptibz ubi mortuar dari consuevit.

Item si Prelat^o alicujus ecclie (7) petat pensionẽ a Rectore sibi debitam, oms huj^o [pensiones 8] faciende sunt in foro ecclastico.

De violenta manuũ injeccõe in clicum, & in causa diffamacõis, concessũ fuit alias qd plita inde teneant^r in Cur Xpianitatis, dũmodo non petat^r pecunia, sed agat^r ad correccõem pcci. (9)

In oibz istis cãibz het Judex ecclasticus cognosce Regia prohibicione non obstante licet porrigat^r. [Ob quod 10] impetrant laici phibicõem in gene sup decima, oblacõibz, (11) mortuar, redempcõibz penitenciaz, violenta manuum injeccõe in clicum & convsum & in causa diffamacõis in quibz cãibz agit^r ad penam canonicam capiend.

Respondit Dñs Rex ad istos articulos qd in decimis, obvencõibz, oblacionibz, mortuar, q^s ndo agit^r ut pdcm est prohibicõi non est locus. Et si Clicus vel Religiosus decimas suas in orrio congregatas, vel alibi existentes vendiderit p pecunia alicui [& imptitet^r in Cur Xpianitatis,12] locum het Regia phibicio, quia p vendicões res spuales sunt temporales & sic transeunt decime in catallis.

THE King to his Judges sendeth Greeting. Use Yourselves circumspectly in all matters concerning the Bishop of Norwich and his Clergy, not punishing them if they hold Plea, in Court Christian, of such things as be meer spiritual, that is to wit, of Penance enjoined by Prelates for deadly Sin, as Fornication, Adultery, and such like, for the which sometimes corporal Penance, and sometime pecuniary is enjoyned, specially if a Freeman be convict of such things. — The King's Prohibition doth not lie, in Matters Spiritual.

Also if Prelates do punish for leaving the Churchyard unclosed, or for that the Church is uncovered, or not conveniently decked, in which cases none other Penance can be enjoined but pecuniary. — Churches, and Churchyards.

Item, if a Parson demand of his Parishioners Oblations or Tithes due and accustomed; or if any Parson do sue against another Parson for Tithes greater or smaller, so that the fourth part of the value of the Benefice be not demanded. — Tithes and Offerings.

Item, if a Parson demand Mortuaries, in Places where a Mortuary hath been used to be given. — Mortuaries.

Item, if a Prelate of a Church or, [of a Patron,1] demand of a Parson a Pension due to him, all such Demands are to be made in a Spiritual Court. — Pensions.

And for laying violent hands on a Clerk, and in cause of Defamation, it hath been granted already, that it shall be tried in a Spiritual Court, when money is not demanded, but [a thing done 2] for Punishment of Sin, and likewise for breaking an Oath. — Violence to a Clerk. Defamation. Breach of an Oath.

In all cases afore rehearsed, the Spiritual Judge shall have power to take knowledge, notwithstanding the King's Prohibition (3).

[Under what Form shall Lay-men 4] purchase Prohibitions generally upon Tithes, Oblations, Obventions, redeeming of Penances, Mortuaries, violent Hands laying on a Clerk or Lay-Brother, and in Cases of Defamation, in which Cases Spiritual Penance must be enjoined? The King answered to these Articles; That in Tithes, Oblations, Obventions, and Mortuaries when [they be pleaded 5] as before is said, the King's Prohibition doth not lie. And if a Clerk or a Person Religious do sell his [Corn 6] being in his Barn, or otherwhere to any Man for Money, if the Price thereof be demanded before a Spiritual Judge, the King's Prohibition doth lie; for by the Sale the Spiritual are become Temporal, and so [Tithes pass into 7] Chattles. — Tithes, and Offerings. Prohibition after Tithes sold.

(1) Rex talibus Judicibus, Salutem. (2) negotiis tangentibus
(3) ejus (4) in Curia Christianitatis
(5) puniat *after* Prelatus *instead of* penam imponat *at the end of the Sentence.*
(6) versus parochianos, oblationes, et decimas debitas et consuetas, vel si rector agat contra rectorem de decimis majoribus vel minoribus, dummodo non petatur quarta pars valoris
(7) vel advocatus (8) petitiones
(9) et similiter po fidei lesione.
(10) Sub hac forma (11) obventonibus,
(12) si precium illud petatur coram judice ecclesiastico,

1 the Patron 2 the Suit is prosecuted

3 *although it be shewed.* What follows in the Text is given in Old Printed Translations as a separate Instrument of uncertain Date, intituled, 'Articles against the King's Prohibitions.' In Tottell's Magna Carta, printed in 1556, this is said to be 'parcel of the Statute de Articulis Cleri, 9 Ed. II.' See that Statute, chapters 1, 2, 3, and 4.

4 *For what, Laymen may* 5 *the Suit is prosecuted*
6 *Tithes* 7 *the Tithes become*

* This Copy is marked 'Ex^r p rotl.' In the Old Printed Copies the Statute Circumspecte Agatis ends with the Words 'non obstante' in line 23, of the Text as here printed; after which immediately follows a separate Instrument, intituled, 'Articuli contra prohibic Reg,' beginning 'Sub hac forma impetrant Laici prohibitionem,' These appear united in the Text as one Instrument. *Rot. Bodl.*; *MS. Harl.* 395, and other Manuscripts, agree with the Printed Copies in giving the former Part as a separate Statute; *MS. Harl.* 667, and other Manuscripts, agree with the Text in uniting the two Instruments; These, and other Manuscripts also agree, in substance, with the Various Readings in the Notes, which are given from the Old Printed Copies.

Right of Tithes; and Patronage.

And if Debate hang in a Spiritual Court for the Right of Tithes, having his Original from the Right of the Patronage, and the Quantity of the same Tithes do pass the fourth part of the value of the Benefice, a Prohibition shall lie.

Pecuniary Penance.

Also if a Prelate enjoin Penance pecuniary to any Man for his Sin, if the Money be demanded before Prelates, a Prohibition shall lie.

Amends for Violence to a Clerk.

And if any lay violent Hands on a Clerk or Lay-Brother for the (1) Peace broken, Amends shall be made before the King, and for the Excommunication before a Bishop or Prelate; and if a Corporal Penance be enjoined, which (2) the Offender will (3) redeem by giving Money to the Prelate, or to the Party grieved, a Prohibition shall not lie.

Defamation.

In Causes of Defamation, Prelates may freely correct the King's Prohibition notwithstanding; first enjoining a Corporal Penance, which, if the Party will redeem, the Prelate may lawfully receive the Money, though the Prohibition be shewed.

1 *King's* 2 *if* 3 *he may*

Item si contencio sit (1) de jure decimaꝝ, originē ħens de jure patronatus, & eaꝝ decimaꝝ qⁿtitas excedat quartam partem eccl̃ie, locū ħet Regia prohibicio.

Item si Prelatus imponat penā pecuniariam alicui p pc̃co & petat illam pecuniam, locū ħet Regia ꝑhibicio, si coram Prelatis pecunia exigat'.

Item si quis manus violentes injec̃it in cl̃icum, (2) p (3) pace Dñi Regis debent emende fieri coram Rege; p excō̃icacione vero coram (4) Epō, & si imponat' pena corporalis, quam si reus velit redim̃e dando ꝑlato vel leso pecuniam potest, nec in tl̃ib; locus est ꝑhibic̃oi.

In diffamacionib; [lic̃oꝝ 5] corrigant Prelati regia prohibicione non obstante, [licet porrigat'.6]

1 in Curia Christianitatis 2 vel conversum,
3 violata 4 prelato vel 5 libere
6 prius injungendo penam corporalem, quam si reus redimere velit libere recipiat prelatus pecuniam, licet prohibitio porrigatur.

Statuta Civitatis London̄.

STATUTES FOR THE CITY OF LONDON.

Ex magno Rot. Stat. in Turr. Lond. m. 42, in Cedula.

None shall walk the Streets armed, after Curfew, &c.

THESE be the Articles which Our Lord the King doth command to be well kept in his City of London, for the keeping and maintenance of his Peace.

First, Whereas many Evils, as Murders, Robberies, and Manslaughters have been committed heretofore in the City by Night and by Day, and People have been beaten and evil intreated, and divers other Mischances have befallen against his Peace; It is enjoined that none be so hardy to be found going or wandering about the Streets of the City, after Curfew tolled at St. Martins le Grand, with Sword or Buckler, or other Arms for doing Mischief, or whereof evil suspicion might arise; nor any in any other Manner, unless he be a great Man or other lawful Person of good repute, or their certain Messenger, having their Warrants to go from one to another, with Lanthern in hand. And if any be found going about contrary to the Form aforesaid, unless he have cause to come late into the City, he shall be taken by the Keepers of the Peace and be put into the place of confinement appointed for such Offenders; and on the morrow he shall be brought and presented before the Warden, or the Mayor of the City for the Time being, and before the Aldermen; and according as they shall find that he hath offended, and as the Custom is, he shall be punished.

Taverns shall not be open after Curfew, &c.

And Whereas such Offenders as aforesaid going about by Night, do commonly resort and have their Meetings and hold their evil talk in Taverns more than elsewhere, and there do seek for shelter, lying in wait, and watching their time to do Mischief; It is enjoined that none do keep a Tavern open for Wine or Ale, after the tolling of the aforesaid Curfew; but they shall keep their Tavern shut after that hour, and none therein drinking or resorting; Neither shall any Man admit others in his House except in common Taverns, for whom he will not be answerable unto the King's Peace. And if any Taverner be found doing the contrary, the first time he shall be put in pledge by his Tavern drinking cup, or by other good pledge there found, and be amerced forty-pence; and if he be found a second time offending, he shall be amerced half a mark; and the third time Ten Shillings; and the fourth time he shall pay the whole Penalty double, that is to say, Twenty Shillings: And the fifth time he shall be forejudged of his Trade for ever.

CES sont les Articles le queus nr̃e Seign' le Rey Comaunde q̃ bien seient gardez en sa Citee de Loundres, p' sa pes garder e meyntenir. Primeremēt p' ceo q̃ multz des mals com des murdres, Robberyes, e homycides ont este fetz ca en arrere deinz la Citee de nuyt e de Jour, e gentz Batues e mal tretes, e aut's div̄ses aventures de mal avenuz encontre sa pes; Defendu est q̃ nul seit si hardi estre trove alaunt ne wacraunt p my les Ruwes de la Citee, aꝑs Coeverfu ꝑsone a Seint Martyn le g'nt, a Espeye ne a Bokuyler ne a autre arme p' mal fere, ne dount mal supecion poet avenir; ne en autre man̄e nule, sil ne seit g'nt Seign' ou altre prodome de bone conysaunce, ou lour ct̄eyn message q̃ de els serra garaunty q̃ vount li un a lautre p conduyte de Lumere. E si nul seit trove alant encontre la fourme avantdite, ou q̃ il seit encheson de tart venir en vyle, seit p's p les Gardeyns de la pes e seit mys en Le Tonel, la quel p' tiels meffesours est assigne, e Lendemeyn seit amene e ꝑsente devant le Gardeyn ou le Meyre de la Citee q̃ p' tens serra, e devant les Aldermans, e solong ceo q̃ il troveront qil eit trespasse e a ceo seit coustumers seit puny. E pur ceo q̃ tiels meffesours avauntditz, alant nutauntre, communalment ont lour Recet e lour Covynes, e font lour mauveyses purparlances en taverne plus q̃ aillours, e illoekes querent umbrage attendanz e geitant lor tens de mal fere; Defendu est q̃ nul ne tiegne taverne overte de Vyn ne de Cerveyse aꝑs le Coeverfu avantdit ꝑsone; mes q̃ il tiegne sa taverne close aꝑs cel houre, e nul leinz Bevaunt ne recettant ne en sa mesoun hors de Communes tavernes nul ne recette p' quy il ne voillit estre respoignant a la pes le Rey. E si nul tav̄ner seit trove q̃ autrement faceo, primerement seit degage p soen Hanap de la Tav̄ne, ou p altre bon gage leinz trove, e seit amc̄ye a quaraunte deniers; E si altre fiez seit trove q̃ ceo faceo, seit amc̄ye a demy mark e a la tierce fiez a dys souz; e a la quarte fiez paie tute la peyne double, cest asav̄ vynt souz. E la quynte fiez seit forsjugge del mestier p' tutz jourz.

Ensement p' ceo q̃ fous, q̃ sei delitent a mal fere, vount apndre Eskirmye de Bokyler, e de ceo plus sei abaudissent defere lour folyes; Purveu est e defendu q̃ nul ne tiegne escole ne aprise de Eskirmye de Bokyler, dedeinz la Citee de nuyt ne de jour, e si nul le faceo eit la Prison de xl. jours. E p' ceo q̃ mals fesours p' trespas com de Bateryes, sanc espaundu, e autres malfetz encontre la pes nre Seign' le Rey, e p mal suspecioun, pris e arestutz, sovent sont delivres p trop legiere manere, p quey autres meyns doutantz tiels punyssementz sei abaudissent en lour folyes e en sovent mesprendre, encountre la pes, p beiaunce de tiele eyse deliveraunce; Purveu est q̃ nul en tiele manere enprisone seit delivres p Viscounte ne p Mynystre de south ly sanz agard del Gardeyn ou del Meyre q̃ p' tens serra, e de les Aldermans si le trespas ne seit mult petit, e adunks seit prise bone meynprise e sollempne, e des gentz justizables a les Bayllyfs de la Citee, q̃ il seit devant le dit Gardeyn ou Meyre e les Aldermans a certeyn jour a receyvre agard e juggement solong soen trespas. Derichief p'veu est q̃ chescun Alderman, en soen Gardemot ententivemēt enquerge de tiel meffesours repeirantz e demorantz en sa Garde; e si nuls tiels seient trovez p presentemēt ou enditement des bones gentz de la Garde ou de male suspecioun, tantost seient attachez p lour cors, e veignēt devant le Gardeyn ou Meyre e les Aldermans, e seient aresonez de ceo dont il sont enditez, ou sour eus presentez; e cels qe aquiter ne sei poent seient punyz p enprisonement, ou autre punyssemēt, p lour descretion, e solong ceo q̃ le trespas demaunde.

E p' ceo q̃ akunes gent soent repeirantz en la Citee, acuns des tres de outre mer e acuns de la tre meismes, e illoesks querent umbrage e refu p' Bannyssement hors de lour pays ou p' g'nt trespas ou autre forfet sei sont de lour pays aloignez; e des tiels les uns sei font abrocours hostillurs e herberjours denz la Citee des privez e des est'nges, si avant com il fuysseient bons e leals de la f'nchise de la Citee; e les uns riens ne font fors q̃ aler sus e jus p my les Ruwes, plus de nuyt q̃ de jour, e sont bien atirez com de vesture e munture, e sei font pestre de deliciouses vyaundes e coustouses; ne il ne font mestier ne marchaundise nule, ne tres ne tenementz ne ount de quei vyvre, ne amy q̃ les trove, e des tiels avenēt multz des perils en la Citee sovent, e multz des mals, e les uns ont apte mauveytez sont trovez, com des Robberyes e Brusures des mesons de nuytz, murdres, e autres mals: Purveu est, q̃ nul dest'nge tre ne altre dont q̃ il seit, ne seit reseant herberjour ne hostiler denz la Citee sil ne seit f'nc home de la Citee, receu e a ferme devāt le Gardeyn ou Meyre e les Aldermans, com bon home e leal; e q̃ il eit bone testmoignance, del luy dunt il sra venu, q̃ il seit bien e lealmēt depty e trove saufs plegges justizables a les Bayllifs de la Citee destre respoignant a la pes le Rey, e les Citeyns e la Citee garder sanz dammage. Ne nul Abrocour ne seit denz la Citee for ceaus q̃ seent receuz e jures devāt le Gardeyn ou Meyre e Aldermans. E touz ceus q̃ sont Herberjours, Hostiliers, e Abrocours en la Citee encontre la fourme avantdite, del jour qe ces Articles sorront Lus e pubbliez denz la Citee, [desks a un moys [1]] sei demettēt e retreient q̃ mes ne le facent e si nul seit trove q̃ le faceo aps la dist meys, ou altre de quy len eit [male [2]] suspeceoun p soen mauveys port com p mauveyse Compaignye ou p bone testmoignance del vygne, tantost seit arestu p soen cors p le

[1] [2] Interlined on the Roll.

Also, Forasmuch as Fools who delight in Mischief, do learn to fence with Buckler, and thereby are the more encouraged to commit their Follies; It is Provided and enjoined that none shall hold school for, nor shall teach the Art of Fencing with Buckler, within the City, by Night or by Day; and if any so do, he shall be imprisoned for Forty Days. None shall teach fencing with Buckler in the City.

And Whereas Malefactors taken and arrested for Tresspasses, as for Batteries, spilling of Blood, and other Offences against the Peace of our Lord the King, and for evil suspicion, are often delivered too easily, by reason whereof, others the less dreading such Punishments are encouraged in their Follies, and in often transgressing against the Peace, in expectation of such easy Deliverance: It is Provided that no Man so imprisoned shall be delivered by the Sheriff, nor by any Officer under him, without the Award of the Warden or Mayor for the Time being, and of the Aldermen; unless the Trespass be very small; and then good and solemn Mainprize shall be taken, and of Persons justiceable before the Bailiffs of the City, that he do appear before the said Warden or Mayor, and the Aldermen, at a certain Day, to receive Award and Judgement according to his Trespass. Offenders shall be discharged only by the Mayor, &c.

Moreover It is Provided, that every Alderman in his Wardmote shall make diligent Enquiry concerning such Malefactors, resorting to and abiding in his Ward; and if any such be found by Presentment or Indictment of the good Men of the Ward, or by evil suspicion, they shall straight be attached by their Bodies, and brought before the Warden or Mayor, and the Aldermen, and be arraigned of that whereof they are indicted or presented; and they who cannot acquit themselves, shall be punished by Imprisonment, or other Punishment, at their Discretion, and according to what the Trespass requireth. Aldermen shall secure Offenders in their respective Wards.

And Whereas divers Persons do resort unto the City, some from Parts beyond the Sea, and others of this Land, and do there seek shelter and refuge, by reason of Banishment out of their own Country, or who for great offence or other misdeed have fled from their own Country; and of these some do become Brokers, Hostelers, and Innkeepers within the City, for Denizens and Strangers, as freely as though they were good and lawful Men of the Franchise of the City; and some nothing do but run up and down through the Streets, more by Night than by Day, and are well attired in Cloathing and Array, and have their Food of delicate Meats and costly; Neither do they use any Craft or Merchandize, nor have they Lands or Tenements whereof to live, nor any Friend to find them: and through such Persons many perils do often happen in the City, and many evils, and some of them are found openly offending, as in Robberies, breaking of Houses by night, Murders, and other evil Deeds: It is Provided that no Man of Foreign Lands or other Person whatsoever, shall be a resiant Innkeeper or Hosteler in the City, unless he be a Freeman of the City, admitted and at Farm before the Warden or Mayor, and the Aldermen, as a good Man and true; and that he have good testimony from the Parts whence he cometh, that he hath well and lawfully departed; and that he find safe Pledges justiceable before the Bailiffs of the City, to be answerable to the King's Peace, and to save the Citizens and the City harmless. And there shall be no Broker in the City, except those who are admitted and sworn before the Warden or Mayor, and Aldermen. And all that are Innkeepers, Hostelers, and Brokers in the City, contrary to the form aforesaid, from one Month after the Day when these Articles shall be read and published in the City, shall forego the same, and withdraw themselves that they do so no more; and if any be found offending herein after the said Month, or any other of whom there is evil suspicion for his ill behaviour, as for bad Company, or by good Evidence of the Neighbourhood, he shall forthwith be arrested by his Foreigners shall not be Innkeepers, unless made free of the City. Admission of Brokers. Punishment of Persons acting as Brokers, Innkeepers, &c. contrary hereto.

Body by the Warden or Mayor, or the Sheriffs, or by the Alderman in whose Ward he shall be found, and shall be punished according as he shall be found to have transgressed the Form aforesaid, or to have otherwise offended; that is to say, Innkeepers and Hostelers, and Brokers, shall be for ever inadmissible to the Franchise, and awarded to Prison; and the others shall be punished by Imprisonment, or otherwise, according as the Offence requireth.

Officers executing this Act indemnified.

THE KING, who willeth that the Peace of his City be well kept among all Persons, having been informed that his said Articles are not observed, neither can be, by reason that his Officers have been many times accused and grievously punished before his Auditors of Plaints, and elsewhere in his Court, for imprisoning and otherwise punishing Offenders and suspected Persons, for that they had not the King's Warrant for so doing; whereby the said Officers have been and are less bold to chastise and punish Offenders, and these do become so much the more daring to offend, and do give unto others the example of evil doing, to the great peril of the City and great encouragement of Offences; He doth will and command, that from henceforth none of his Officers shall be complained of before his Auditors of Plaints, or elsewhere in his Court, for any imprisoning or other punishing of Offenders or Persons suspected of evil: Unless it be that any Officer should so do of open malice and for his own revenge, or for the revenge of another that maliciously procureth the same, and not for the keeping of the Peace.

And the King willeth that these Provisions, and the Additions, be well and surely kept in the aforesaid City, for the maintenance of his Peace, with the Amendments thereof when it shall please him to make such, for the Profit of his City.

Gardein ou Meyre ou les Viscontes, ou [illegible] en qui garde il serra trove, e solong ceo [illegible] il serra trove cont[r]venāt la fourme avantdite ou en altre trespas seient punyz; Cestasavo, les Herberjours e Hostilliers, e Abrocours seient noun receivables a la franchise pur tutz jours, e a la prisone ajuggez; e les altres seient punyz p enprisonement ou en alt[e] manle, selong ceo q̄ le trespas demaunde.

Le Rey, q̄ veut la pes de sa Citee estre bien garde entre tutes gentz, ad entendu q̄ ses distz Articles ne sont poynt tenuz, ne estre ne poent, p[r] ceo q̄ ses mynystres sovent ont este enquerelez e grevement punyz devant ses Auditours des pleyntes, e aillours en sa Court, p[r] enprisonementz e altres punyssementz de meffesours e de suspecionous de mal, pur ceo q̄ il ne eurent de Rey garaunt a ceo fere; dont les ditz mynystres ont este e sont meyns ōsez a chastier e punyr les meffesours, e p tant sei abaudissent de meffere, e donnēt as altres ensample de mauveyste, a g[a]nt peril de la Citee e g[a]nt nurture des mals; Veut e comande q̄ desormes nul de ses Mynystres seit enquerele devant ses Auditours des pleyntes ne aillours en sa Court, pur nul enprisonement ou altre punyssement de meffesours ou souspecionous de mal: Si ens ne seit q̄ mynystre le face p apte malice e sa ppre venjeaunce, ou p[r] venjaunce de autri q̄ p malice le procure, e ne mye p[r] la garde de sa pes.

E le Rey cestes purveaunces e ajoustementz veut q̄ en lavantdite Citee seient bien e sauvemēt gardez, p[r] sa pes meyntenir, ove les amendementz q[a]nt il li plerra quil mettre pur le proffist de sa Citee.

Forma Confirmationis Cartarum.

The FORM of CONFIRMATION of CHARTERS.

Ex Rot. Claus. in Turr. Lond. 13 Edw. I. m. 7. in Cedula.

PRAYED our Lord the King, in his Parliament at Westminster, after Easter, in the Thirteenth Year of his Reign, divers of his Realm, as well Prelates, Men of Religion, and other Ecclesiastical Persons, as Earls and Barons, and other Secular or Lay Persons, that our said Lord the King would of his favour confirm the Charters, by his Progenitors, Kings of England, or by others, granted to the Predecessors or Ancestors of them the said Persons, and to them: Whereupon our said Lord the King, after deliberation thereon had with his Council, hath granted that the Confirmations of those Charters should be made in the Forms underwritten.

Charters of Confirmation of Liberties.

A Charter of Confirmation of Liberties in this Form. Edward, &c. We have Inspected the Charter of Gift, Grant, or Confirmation, which the Lord King Henry, our Father, or such an one, our Progenitor, Grandfather, or Great-grandfather, or such an one, our Ancestor, or other, made, in these words; or made to such an one in these words: Henry, &c. Or such Ancestor or Predecessor, &c. And the Charter to be confirmed shall be written word for word, without addition, change, transposition, or any diminution. And at the End thus: We therefore, the aforesaid Grant, or the aforesaid Grants, ratifying and approving, it or them, for Us and our Heirs, to him the aforesaid such an one, and his Heirs, or such an one and his Successors, do grant and confirm, as the aforesaid such an one and his Predecessors or Ancestors, those Liberties have hitherto justly and reasonably used. These being Witnesses, &c. or, In Witness, &c.

SUPLICABANT dño Regi, in pliamento suo apud Westm̄ post Pasch̄ anno regni sui xiij° plures de regno suo, tam p̄lati, viri religiosi, & alie p̄sone Ec̄castice, q[a]m Comites & Barones, & ce[r]e p̄sone seculares, seu laice, ut idem Dñs Rex Cartas, a p̄genitoribus suis Regibus Angl, vel ab aliis, concessas p̄decessoribus seu antecessoribus ip̄aꝝ p̄sonaꝝ, & eis, de sua gr̄a confirmaret: Unde idem Dñs p̄ h̄ito sup̄ hoc, cum suo Consilio, tractatu, concessit qd confirmac̄ones Cartaꝝ illaꝝ fiant sub formis subsc̄ptis.

Carta confirmac̄onis Libertatum, sub hac forma: Edwardus, &c. Inspexim[9] Cartam donac̄onis, ꝯcessionis, vel confirmac̄onis, quam Dñs H. Rex, pa[r] nr̄, vel talis p̄genitor nr̄, avus vel p̄avus, vel talis antecessor nr̄, vel alius, fecit in hec verba, vel fecit tali in hec verba: Henr̄, &c. vel tal̄ antecessor vel p̄decessor, &c. Et Carta confirmanda, de verbo ad verbum, sine addic̄one, mutacione, transmutac̄one, vel aliqua diminuc̄one, sc̄batur. Et in fine sic: Nos autē p̄dc̄am concessionem, vel p̄dc̄as concessiones ratas h̄entes & g[a]tas, eam, vel eas, p nob̄ & hered̄ nr̄is, p̄dc̄o tali & hered̄ suis, vel tali & succ̄ suis, concedim[9] & confirmam[9], sic[t] ip̄e tal̄ & p̄decessores seu antecessores sui, lib̄tatibus illis hucusq; juste & rac̄onabili[r] usi sunt. Hiis testib[9], &c. vel, in cuj[9], &c.

Si autem Carta Confirmacõnis doni, de ten̄, sive de ten̄ dat̄ a ℞, vel ab alio, tunc sic: Inspexim⁹, &c. sicut p'us. Et in fine, sic: Nos autem predčas donacõm & concessionem ratas ħentes & gratas, eas p̄ nob̄ & hered̄ nr̄is, tali, & hered̄ suis, vel tali & sucč suis, concedim⁹ & confirmam⁹, sicut Carte predče juste & racõnabilit̄ testant'. Hiis testib3, &c. vel, In cuj⁹, &c.

Si autem in Carta confirmanda contineantur utraq3, scilt, concessio lib̄tatum & donū de ten̄, a p̄decessore, vel a p̄decessoribus nr̄is, seu aliis, tunc sub hac forma: Edwardus, &c. Inspexim⁹ Cartam quam tal̄ predecessor vel antecessor nr̄ fecit tali, de tali ten̄, vel de talibus ten̄, & de lib̄tatibus subsc'ptis in hec verba: Et tunc in fine confirmacõnis illius fiat mencio de utrisq3, sic: Nos autem predčas donacõnes & concessiones ratas ħentes & gratas, eas pro nob̄ & hered̄ nr̄is, tali & hered̄ suis, vel tali & sucč suis, concedim⁹ & confirmam⁹, sicut predča Carta, vel predče Carte, talis predecessoris, vel antecessoris nr̄i de tali ten̄, vel de talibus ten̄, et sicut Carta vel Carte, ejusdem vel eo3dem, de predčis libertatibus, quibus ip̄e & p̄decessores, seu antecessores sui, hucusq3 racõnabilit̄ usi sunt, juste & racõnabiliter testantur.

Si autem Carta, vel Carte, al'ius vel alio3 de [novo[1]] dono & [nova[2]] cõcessione, de ten̄, sive de tenem̄tis petatur confirmari, tunc sic: Edwardus, &c. Inspexim⁹ Cartam tal̄, vel talium, &c. in hec verba: Nos autem p̄dčas doñões & concessiones ratas ħentes & gratas, eas p̄ nob̄ & hered̄ nris, salvo jure [nr̄o & jure[1]] cujuslibet, concedim⁹ & confirmam⁹; sicut Carta vel Carte predče racionabilit̄ testantur. Hiis testibus, &c. vel, In cuj⁹, &c.

Et si 9tingat qd̄ post huj⁹modi 9nfirmacões oriatur dubitacio, ut^m articulus vel articuli, in Carta 9tent⁹ vel 9tenti, plene fuit vel fuint usitatus, vel usitati, vel non; tunc cum deventum fuerit ad illam dubitacõm, fiat discussio coram Thes̄ & Baron̄ de Sc'cio de usu articuli, vel articulo3, de quo vel quibus, orta fuit dubitacõ; Et ad istam discussionē faciend̄ associent s' Thes̄ & Barones, Justič de utroque Banco, & om̄es alios Justič quos tunc London̄ p̄sentes esse cõtigit. Ita tamen qd̄ si absentes fuint Justič de Banco ℞ & forte absens fuit aliquis Justič de alio Banco, vel aliq's de Baron̄ p̄dčis, nō ppt̄ hoc remaneat illa discussio faciend̄; set Thes̄ & ceti Baron̄, assumptis secum Justič tunc ibi p̄sentibus, p̄cedant ad discussionem illam faciend̄: & det̄mietur p̄ eos, ut de illo articulo, vel de illis articulis, p̄ usum vel abusum eo3 [quid[4]] debeat imposterum observari.

Et si quis petat al'ius fčm vel donū p̄ dñm ℞ 9firmarl, p'mo videnđ est, ut^m donacio, vel concessio, vel fčm, vel donū, sit novū, vel antiqum, a ℞ confirmatū; et si sit novū differat' confirmacio, quousq3 constit̄it dño ℞ qd̄ jus nō ħeat in ten̄ p̄ alium datum.

[1] [2] [4] Interlined on the Roll.

And if it be a Charter of Confirmation of the Gift of Tenements, or of a Tenement given by the King or by another, then thus: We have Inspected, &c. as before. And at the End thus: We therefore, the aforesaid Gift and Grant ratifying and approving, the same for Us and our Heirs, to such an one and his Heirs, or to such an one and his Successors, do grant and confirm; as the aforesaid Charters do justly and reasonably testify. These being Witnesses, &c. or, In Witness, &c. Charters of Confirmation of Grants of Tenements.

And if in the Charter to be confirmed both be contained, that is to say, a Grant of Liberties, and a Gift of Lands, by our Predecessor or Predecessors or others, then in this Form, Edward, &c. We have Inspected the Charter which such an one, our Predecessor or Ancestor made to such an one, of such a Tenement, or of such Tenements, and of the Liberties underwritten, in these Words: And then at the End of such Confirmation, mention shall be made of both, thus: We therefore, the aforesaid Gifts and Grants ratifying and approving, the same for Us and our Heirs, to such an one and his Heirs, or to such an one and his Successors, do grant and confirm; as the aforesaid Charter, or the aforesaid Charters, of such an one our Predecessor or Ancestor, of such a Tenement, or of such Tenements, and as the Charter or Charters of him or of them, of the aforesaid Liberties, which he and his Predecessors or Ancestors have hitherto reasonably used, do justly and reasonably testify. Charters of Confirmation of Liberties & Tenements together.

And if the Charter or Charters of another or others, of a new Gift and a new Grant of a Tenement, or of Tenements, be required to be confirmed, then thus: Edward, &c. We have Inspected the Charter of such an one, or of such Persons, &c. in these words; We therefore, the aforesaid Gifts and Grants ratifying and approving, the same for Us and our Heirs do grant and confirm; Saving Our Right and the Right of any other Person; as the aforesaid Charter or Charters do reasonably testify. These being Witnesses, &c. or, In Witness, &c. Confirmations of private Grants.

And if it happen that after such Confirmations, there arise a Doubt whether any Article or Articles in the Charter contained, might have been fully exercised or not; then when it is come to that Doubt, a Discussion shall be had before the Treasurer and Barons of the Exchequer, concerning the using of the Article or Articles, whereupon the Doubt shall have arisen; and for the making of that Discussion, the Treasurer and Barons shall associate unto them the Justices of each Bench, and all other Justices who shall then happen to be in London. Yet so that if the Justices of the King's Bench should be absent, and peradventure any Justice of the other Bench should be absent, or any one of the aforesaid Barons, that Discussion shall not therefore be deferred to be made; but the Treasurer and the rest of the Barons, taking unto them the Justices then there present, shall proceed to make that Discussion: and it shall be determined by them, what ought in future to be observed as to that Article or Articles, by the Use or Abuse thereof. For deciding Doubts as to the Use of Liberties, &c.

And if any Man require the Deed or Gift of another to be confirmed by our Lord the King, it is first to be seen whether the Donation or Grant, or Deed or Gift be new, or an old one confirmed by the King: And if it be new, the Confirmation shall be deferred, until it shall appear unto our Lord the King, that he hath no Right in the Tenement granted by another. Enquiry of the King's Right.

Anno 18° EDWARDI, I. A.D. 1289-90.

Statutū d'ni R. de t'ris vendend' & emend'.*

A STATUTE of our LORD THE KING, concerning the Selling and Buying of Land.

I. FORASMUCH as Purchasers of Lands and Tenements of the Fees of great men and [other Lords,[1]] have many times heretofore entered into their Fees, to the prejudice of the Lords, [to whom[2]] the Freeholders of such great men ([3]) have sold their Lands and Tenements to be holden in Fee ([4]) of their Feoffors, and not of the Chief Lords of the Fees, whereby the same Chief Lords have many times lost their Escheats, Marriages, and Wardships of Lands and Tenements belonging to their Fees; which thing seemed very hard and extream unto those [Lords and other great men,[5]] and moreover in this case manifest Disheritance: Our Lord the King, in his Parliament at Westminster after Easter, the eighteenth year of his Reign, that is to wit, in the Quinzime of Saint John Baptist, at the instance of the great Men of the Realm, granted, provided, and ordained, That from henceforth it shall be lawful to every Freeman to sell at his own pleasure his Lands and Tenements, or part of them; so that the Feoffee shall hold the same Lands or Tenements of the [Chief Lord of the same Fee, by such Service[6]] and Customs as his Feoffor held before.

Freeholders may sell their Lands; so that the Feoffee do hold of the Chief Lord.

II. AND if he sell any part of such Lands or Tenements to any, the Feoffee shall immediately hold it of the Chief Lord, and shall be forthwith charged with the Services, for so much as pertaineth, or ought to pertain to the said Chief Lord for the same parcel, according to the Quantity of the Land or Tenement [so] sold: And so in this case the same part of the Service [shall remain to the Lord, to be taken by the hands of the Feoffee, for the which he ought[7]] to be attendant and answerable to the same Chief Lord, according to the Quantity of the Land or Tenement sold, for the parcel of the Service so due.

Sale of Part.

Apportionment of Services.

III. AND it is to be understood, that by the said Sales or Purchases of Lands or Tenements, or any parcels of them, such Lands or Tenements shall in no wise come into Mortmain, either in part or in whole, neither by Policy ne Craft, contrary to the Form of the Statute made thereupon of late. And It is to wit, that this Statute extendeth but only to Lands [holden[8]] in Fee Simple; and that it extendeth to the time coming; and it shall begin to take effect at the Feast of Saint Andrew the Apostle next coming. [Given the eighteenth year of the Reign of King Edward, Son to King Henry.]

Mortmain prohibited.

[1] *others*
[2] *to which Purchasers*
[3] *and others*
[4] *to them and their Heirs*
[5] *great Men and other Lords*
[6] *same Chief Lord, and by the same Services*
[7] *shall cease to be taken by the Chief Lord by the hands of the Feoffor, from the time that the Feoffee ought*
[8] *sold to be holden*

Ex Rot. de Placit. ad Parl. 18 Edw. I. m. 9.

QUIA EMPTORES ꝑrarꝝ & ten̄ de feodis magnatū & alioꝝ, in prejudicium [eoꝝdē[1]] tempibꝫ retroactis multociens in feodis suis sunt ingressi, quibꝫ libe tenentes eoꝝdem magnatū & alioꝝ ꝑras & ten̄ sua vendiderūt, tenenda in feodo sibi & ħedibꝫ suis de feoffatoribꝫ suis & nō de Cap̄ dn̄is feodoꝝ, ꝑ quod iidem Cap̄ dn̄i eschaetas, maritag̃ & custodias terraꝝ & ten̄ de feodis suis existenciū sepius amiserūt, quod quidem eisdem magnatibꝫ & aliis dn̄is q[a]m ꝑrimum durū & difficile videbatur, & simiꝛ in hoc casu exħedacō manifesta: Dn̄s Rex in ꝑliamento suo apud Westm̄ post Pasch̄ anno regni sui Decio octavo, videlt in quindena sc̄i Joh̄is Bapt̄, ad instanciā magnatū regni sui, concessit, ꝑvidit, & statuit, qđ de cet̄o liceat unicuiq; libe hōi terrā suā seu ten̄ sive ꝑt̄e inde ꝑ volūtate sua vendere; Ita tamen qđ feoffatus teneat terrā illā seu ten̄ de eodem Cap̄ dn̄o & ꝑ eađ ꝟvicia & cōsuetudines, ꝑ que feoffator suus illa prius tenuit. Et si ꝑtem aliq[a] eaꝝdem ꝑraꝝ seu ten̄ suoꝝ alicui vendiderit, feoffatus illā teneat immediate de Cap̄ dn̄o & oñetur statim de ꝟvicō q[a]ntum ꝑtinet sive ꝑtiñe debet eidem dn̄o ꝑ ꝑticula illa, sc̄dm q[a]ntitatem terre seu ten̄ venditi; Et sic in hoc casu, decidat Cap̄ dn̄o ipa ps ꝟvicii [capienda ꝑ manū feoffatoris,[2]] ex quo feoffatus debet eidem Cap̄ dn̄o jux[a] q[a]ntitatem terre seu ten̄ venditi de ꝑticula illa ꝟvicii sic debiti esse intendens & respondēs. Et sc̄i[d] qđ ꝑ ꝑdc̄as vendic̄oes sive empc̄oes terraꝝ seu ten̄, seu ꝑtis alicuj[9] eoꝝdem, nullo modo possūt terre seu ten̄ illa, in ꝑte vel in toto, ad manū mortuā deveire, arte vel ingenio cont[a] for[m] statuti sup hoc dudū editi. &c. Et sc̄i[d] qđ istud statutū locū tenet de terris venditis tenendis in feodo simpl̄ tantū, [&c; Et qđ se[3]] extendit ad tempus futurū; Et incipiet locū teñe ad Festū sc̄i Andree ꝑximo futur̄. &c.

[1] ipoꝝ *Rot. Claus.*
[2] ſ per manus feoffati capiend' *Old Printed Copies:*
ſ *Vetus Codex*, & *Rot. Claus.* agree with the Text.
[3] & se *Rot. Claus.*

* This Title is in the Margin of the Roll, and of the *Vetus Codex* at the Tower, *fo.* 20: On the Close Roll 18 *Edw. I. m.* 6. *d*, this Statute is entered with the following Title in the Margin, 'Statut̄ qđ null⁹ emat ꝑras de aliis tenend q[a] de capitalibꝫ dn̄is, &c.' In the Printed Copies and Translations it is intituled, 'Statutum Westm. iij. The Statute of Westminster the Third, *viz.* of Quia Emptores Terrarum.'

STATUTUM DE QUO WARRANTO.[1]

Ex Rot. de Placit. ad Parl. 18 Edw. I. m. 7. d.[2]

Qualiꝑ bria de quo Waro debent ꝑmiari & de ceo ꝑlari.

QUIA bria de quo Waranto & & judicia sup ꝑlitis eoꝝdem brium reddenda diutinam cepūt diſonem, eo qd Justic in judiciis illis reddend de voluntate dñi Reg nō fuerūt hucusq; certiorati; Idem dñs Rex ad ꝑliamentū suū post Pasch apud Westm anno regni sui decimo octavo de gra sua spali, & & ppꝑ affectionem, quam het erga ꝑlatos, Com, Barones & ceꝑos de regno suo, concessit qd oēs de regno suo quicunq; fuerint, tam viri religiosi q[a] alii, qui p bonam inquisicōem pria aut alio modo [sufficienti [2]] verificare poꝑint, qd ipi & eoꝝ antecessores, vel predecessores usi fuerūt libtatib; quibuscunq;, de quib; per bria predca fuerūt implitati, ante tempus Reg Ricardi consanguinei sui aut toto tempe suo, & hucusq; [sine interrupcōne [4]] cōtinuarūt, [Et [5]] Ita qd libtatib; illis nō sint abusi, qd ptes adjornent' ulterius [coram eisdem Justic [6]] usq; certū die & racionabilem, infra quem dm Regem adire possint cum recordo Justic [sub [7]] sigillo suo [signato,[8]] & redire; & dns Rex statum eoꝝ affirmabit per litteras suas. Et illi qui nō poterint seisinam antecessoꝝ seu ꝑdecessoꝝ suoꝝ verificare, eodem modo, quo predm est, deducant' & judicent' scdm legem cōmunem; Et illi, qui hent cartas regales, scdm cartas illas [& earumd plenitudiem[9]] judicent'. Preꝑea dīus Rex de gra sua speciali concessit qd oīa judicia, que reddita sunt in ꝑlitis de quo quaranto, p Justic suos apud Westm post Pasch predcm, & p ipo dño Rege, si ptes, que amiserūt, ad ipm dīum Regē revenire voluerint, tale hebunt remed de gra dñi Reg sicut supius est concessum. Concessit & idē dns Rex, ad pcand misis & expens populi de regno suo, qd ꝑlita de quo Waꝛ de ceꝑo ꝑlitent' & ꝑminent' in Itineribꝫ Justic; & qd ꝑlita adhuc [coram ipo [10]] pendentia [de quo Waranto [11]] [readjornent' [12]] [in singul Com suis [13]] usq; adventū Justic in partib; illis, &c. [Et qd intim post adjornacōem sic factam remaneant sine die.[14]]

[1] This Title is from the Old Printed Copies.

[2] *Vetus Codex, fo. 16, b.*[a]

[1] [4] [5] [6] [7] [9] [10] [11] Interlined on the Roll: *Vetus Codex* inserts them all.

[8] [13] Struck through with a Line: *Vetus Codex* omits them.

[12] adjornentur *Vetus Codex.*

[14] { In a Hand-writing different from the other part: *Vetus Codex* inserts.

STATUTUM DE QUO WARRANTO NOVUM.[1]

Ex MS. Cott. Claud. D. II. fo. 260.

PUR ceo brief qest dit quo Waranto establist nre Seign' le Roi le jo' de la Pentecost, lan de son regne xviii[e], qe touz ceux qi cleiment avoir quite possession des f[a]unchises av[a]nt le temps le Roi Richard saunz inꝑupcion, & ceo puissent monstrer p bone enqueste bien se joient de cele possession; Et si celle possession soit demaunde p raison, nre Seign' le Roi le confirma p title. Et ceux qi ount veuz chartres des fraunchises ꝺount les chartres ajuggez selonc la tenure & la fourme de mesmes celes chres. Et ceux qi ount pdu lour f[a]unchises puis le Pasq, darrein & p lavantdit brief, en la fourme avant use en plee del av[a]ntdit brief, eient restitucion de lo' fraunchises pduz; & derechief pledent selonc la nat'e de la ꝑsente constitucion.

[1] This Title is from the Old Printed Copies.

THE STATUTE OF QUO WARRANTO.

How Writs of Quo Warranto ought to be determined and pleaded in future.

FORASMUCH as Writs of Quo Warranto, and also Judgements given upon Pleas of the same, were greatly delayed, because the Justices in giving Judgement [were not [1]] certified of the King's Pleasure therein; Our Lord the King, at his Parliament holden at Westminster, after the Feast of Easter, the eighteenth Year of his Reign, of his special Grace, and for the Affection that he beareth unto his Prelates, Earls, and Barons, and other of his Realm, hath granted, That all under his Allegiance, whatsoever they be, as well Spiritual as other, which can verify by good Enquest of the Country, or otherwise, that they and their Ancestors or Predecessors have used any manner of Liberties, whereof they were impleaded by the said Writs, before the time of King Richard our Cousin, or in all his time, and have continued hitherto ([2]) so that they have not misused such Liberties, that the Parties shall be adjourned further unto a certain day reasonable before the same Justices, within the which they may go to our Lord the King with the Record of the Justices, signed with their Seal, and also return; and our Lord the King, by his Letters [Patents] shall confirm their Estate. And they that cannot prove the Seisin of their Ancestors or Predecessors in such manner as is before declared, shall be ordered and judged after the Law and Custom of the Realm; and such as have the King's Charter shall be judged according to their Charters ([3]). Moreover, the King of his special Grace hath granted, that all Judgements that [are to be [4]] given in Pleas of Quo Warranto, by his Justices at Westminster, after the foresaid Easter, for our Lord the King himself, if the Parties grieved will come again before the King, he of his grace shall give them such remedy as before is mentioned. Also our said Lord the King hath granted, for sparing of the Costs and Expences of the People of his Realm, that Pleas of Quo Warranto from henceforth shall be pleaded and determined in the Circuit of the Justices; and that all Pleas ([5]) now depending ([6]) shall be adjourned into their own Shires, until the coming of the Justices into those Parts: ([7])

Liberties by Prescription.

Liberties by Charter, &c.

Pleas of Quo Warranto shall be determined in the Circuit.

[1] *have not hitherto been* [2] *without Interruption, and*

[3] *and the full effect of the same* [4] *have been*

[5] *of Quo Warranto* [6] *before him*

[7] *and that in the meanwhile after Adjournment so made they shall remain without day.*

ANOTHER NEW STATUTE OF QUO WARRANTO.

Liberties by Prescription or the King's Grant.

CONCERNING the Writ that is called Quo Warranto, our Lord the King, at the Feast of Pentecost, in the eighteenth year of his Reign, hath established, that all those which claim to have quiet possession of any Franchise before the time of King Richard, without Interruption, and can shew the same by a lawful Enquest, shall well enjoy their possession; and in case that such Possession be demanded for cause reasonable, our Lord the King shall confirm it by Title. And those that have old Charters of Franchise, shall have the same Charters adjudged according to the tenor and form of them. And those that have lost their Liberties sith Easter last passed, by the foresaid Writ, according to the course of pleading in the same Writ heretofore used, shall have restitution of their Franchise lost. and from henceforth they shall [have [1]] according to the nature of this present Constitution.

[1] *plead*

THE STATUTE of the WRIT of CONSULTATION.[1]

Ecclesiastical Judges may proceed; notwithstanding the King's Prohibition: if there be no Remedy at Law.

WHEREAS Ecclesiastical Judges have often surceased to proceed in Causes moved before them, by force of the King's Writ of Prohibition, in Cases whereas Remedy could not be given to Complainants in the King's Court, by any Writ out of the Chancery, [because that[2]] such Plaintiffs were deferred of their right and remedy in both Courts, as well [Temporal[3]] as Spiritual, to their great damage, like as the King hath been advertised by the grievous Complaint of his Subjects: Our Lord the King willeth and commandeth, that where Ecclesiastical Judges do surcease in the aforesaid Cases, by the King's Prohibition directed unto them, that the Chancellor, or the Chief Justice of our Lord the King for the time being, upon sight of the Libel of the same matter, at the instance of the Plaintiff, if they can see that the Case cannot be redressed by any Writ out of the Chancery, but that the Spiritual Court ought to determine the Matters, shall write to the Ecclesiastical Judges, before whom the Cause was first moved, that they proceed therein, notwithstanding the King's Prohibition directed to them before.

[1] The Printed Translations attribute this Act to the Twenty-fourth Year of King Edward I.
[2] *whereby* [3] *the King's*

STATUTUM DE CONSULTATIONE.[1]

Ex Rot. de Placit. ad Parl. 18 Edw. I. m. 6, d.[2]

Qd Judices eccastici pcedāt nō obstante phibicōe r.

CUM Judices eccastici ad pceden[d] in causis coram ipis agitatis p phibonem dñi Reg sepius supsedeant in casibz ubi remedium conquerentibz ad Cur dñi Reg per bre de Cancellar sua fieri nō possit, ppt quod querentes illi in utraq; Cur tam regia q[a] eccastica jure suo & remedio sūt elongati ad g[ve] dampnū iporum put dñs Rex ex gravi querela quozdam intellexit: Dñs Rex vult & pcipit qd cum Judices eccastici p phibōem regiam sibi porrectam, supsedeant in casibz predcis, qd Cancellar vel Capit Justic ipius dñi Reg, qui p tempe fuit viso libello illius cause ad instanciam querentis, si viderint qd p bre de Cancellar querenti remediū in suo casu fieri nō possit, set qd ad Cur eccasticam ptineat causam illam determinare, scribat Judicibz, coram quibz causa illa prius fuit agitata, qd in causa illa pcedant, nō obstante phibone regia p[ti]us inde sibi [porrecta, &c.[3]]

[1] This Title is from the Old Printed Copies: in which this Act is attributed to the Fourteenth year of K. Edward I.
[2] *Vetus Codex, fo. 13. b.* [3] directa. *Vetus Codex.*

Anno 20° EDWARDI, I. A.D. 1291-2.

D' Presentibz vocatis ad Warantū.*

OF PERSONS vouched to WARRANTY who are PRESENT.

Ex Rot. de Parl. 20 Edw. I. m. 4.

WHEREAS the Tenant impleaded in a Plea of Land heretofore had vouched (') to Warranty, and thereupon the Demandant would aver, that neither he that is vouched, nor any of his Ancestors, since the time that the Ancestor of the Demandant was seised, was in possession of the said Lands, neither in Demean nor in Service, if the Party vouched were present, and would warantise the Land freely unto the Tenant, such Averment of the Demandant hath not been used to be admitted, unless the party vouched had been absent, and that by reason of a certain Statute of the King's [lately] made amongst other Statutes of *West.* 1; Wherefore our Lord the King, considering the Fraud, Deceit, and Malice, and also his own Damage, and Disherison of his Crown, that in the said case [hath many times happened in this Court, and daily doth, whereas[2]] some holding of the King in chief by a whole Barony, in a Plea hanging before the Justices of the Bench, [upon their demand do vouch[3]] particularly, [base persons[4]] unknown and Strangers [which they will bring forth,[5]] and of whom neither they nor their Ancestors had ever any thing in the Lands that they warranted, nor in any other Lands or Tenements within this Realm, neither in Demean nor in Service, as hath been testified by divers of the King's faithful Subjects; so that by such Cautel, Fraud, and Malice, the same Tenants holding by an entire barony, [do[6]] defraud the King of the Amerciament that they should incur, if the Demandant should recover against them:

Stat. Westm. 1. chap. 40.

CUM tenēs in plito terre tempibz retroactis vocavit aliquē ad War & petēs sup hoc verificare voluit qd nec vocat[9] nec aliquis antecessoz suoz a tempe seisine antecessoris ipius petentis fuit in seis[a] de tēn pdcis, nec in dñico nec in servicō, si ille vocat[9] ad Warant pens fuit & gratis tenenti warantizare voluit, pdca verificacō petentis admitti nō consuevit, nisi vocat[9] ad War absens fuit, & hoc rōne cuj[9]dam statuti dñi Regis nūc, editi int[r] cet[a] p[ti]ma statuta sua Westm; ppt quod Dñs Rex animadvtēs fraudem, decepcōem & maliciam & eciam dampnū suū & exheredacōem Corone sue in casu pdco in Cur sua multocies posse intvenire, & isto die intervenit, cum quidam tenentes de ipo dño Rege in capite & p baroniam integram in quodam plito pendenti coram Justic de Banco nūc, vocavnt ad War de demanda petentis pticulart quosdam garcōes ignotos & extraneos quos presentes duxunt, & quoz antecessores aut ipi nūq[a]m in tēn que warantizavnt aliquid habunt, aut in aliquibz terris aut tēn aliis in regno isto neque in dñico neq; in svicō, put a divsis dñi Reg fidelibz testabat[r], ut p cautelam, fraudem, & maliciam illam ipi p baroniā tenentes auferre possent dño Regi ñiam suam in quam inciderent si petēs vers[9] eosdem demand suam recuparet:

[1] one
[2] *may often happen in his Court, and hath at this day come to pass, inasmuch as*
[3] *upon the Demand of the Demandant vouched to Warranty*
[4] knaves
[5] *whom they produced present,* [6] *might*

* This Title is in the Margin of the Roll, and of the *Vetus Codex, fo. 32, b.* The Printed Copies and Translations entitle this 'Statut de vocat ad War—The Statute of Vouchers.'

Et simili illi garcões Waranti videt [quilibt [1]] de porcõe quam warantizavit se defendet p corpus vientis pvisi & conducti p ipos p baroñ tenentes, & sic sup uno bri una demanda unius petentis jam sunt duo bella vel tria vadiata, quod durũ est, & exemplum pniciosum tempe futuro p paupibz petentibz vers magnates & divites qui se p maliciam pdcam defendere volunt, nec cont pdcos Warantos petẽs quando vocati fint verificacõem suam in forma pdca habere potuit eo qd ipi vocati psentes fuint & gratis warantizavint, de comi consilio statuit & firmit decetto videlt de festo sci Hillar anno regni sui vicesimo precepit observari; qd cum tenẽs aliquẽ vocavit ad War & petẽs in forma pdca verificare volvit, admittat ejus verificacio, sive vocat absens fuit vel psens, nullo hito respcu ad ejus psenciam vel absenciam.

[1] Interlined on the Roll; *Vetus Codex* inserts.

And likewise, when such base persons have warranted, that is to wit, every one for his portion that he ought to warrant, he may defend himself by the body of his Servant procured and hired by them that hold Baronies, and so upon one Writ and one Demand (1) there [were [2]] two or three Wagers of Battail, the which [was [3]] a hard and perilous example for poor men in time coming, that shall be Demandants against great and rich men, which will defend themselves by the malice aforesaid; and the Demandant cannot have his Averment against such Warrantors, when they be vouched in form aforesaid, because they be present, and will warrantise freely; By his Common Council hath ordained, and from henceforth, that is to say, from the Feast of St. Hilary, the twentieth year of his Reign, he hath commanded to be observed, that when the Tenant doth vouch any to warranty, and the Demandant will aver in Form before rehearsed, his Averment shall be admitted, whether the Party vouched be absent or present, without any respect had unto his Absence or Presence.

Demandant may counterplead a Warranty, in Presence or Absence of Vouchee.

[1] *of one Demandant* [2] *are* [3] *is*

STATUTUM DE VASTO.[1]

Ex Rot. de Parl. 20 Edw. I. m. 4.[2]

Qd heredes heant accõem p bre de vasto fco tempe antec suoz.

WILLS le Botiler, qui est infra etatem & in custod dñi Reg, monstravit dño Regi, qd cum quidam Gawayn le Botiler frater suus, cujus heres ipe est, nup impltasset Walm de Hopton, p bre dñi Reg, de vasto & destrucõe fcis p ipm Walm in quibusdam terris & ten, que idem Walus tenuit ad terminũ vite [sue,[3]] de hereditate pdci Gawani, in Wemme & in Tirlegh; & idem Gawin anteq judiciũ assecut fuit, obiisset, & post cujus mortẽ pfatus Wills p cõsimile breve pdcm Walm de pdcis vasto & destrucõe fcis p multũ tempus impltavit; idem Walus coram Gilbto de Thorntoñ & soc suis ad plita ejusdem dñi Reg [tenend [4]] assignatis venit & dixit, qd non debuit ipi Willo responde de vasto aut destrucõe fcis tempe alieno & anteqm jus hereditatis pdce ei descenderat, & sup hoc [petiit [5]] judm: Et quia quidã Justic in reddicõe pdci judicii nõ concordarũt; p eo [qd qd [6]] quibusdam videbat qd nõ esset juri cõsonũ, si p bre pdcm quod est quoddam bre de tnsgressione, cte psone fca, alta psona comod aut emendas exequeret, qm eadẽ psona cui & in cujus tempe tnsgressio fca fuit; aliis autem Justic & majori pte tocius cõsilii dñi Reg in contria opione existentibz, & p racões divsas asserentibz, [qd [7]] pdcus Wills audiri debet & inde responderi, & & alii quicũq, in cãibz cõsimilibz; vel tngressiones cõsimiles in casu cõsimili semp remanent nõ emendate & tnsgressores impuniti, qd esset [durũ & [8]] incõveniẽs [p her quibz talis transgressio fca fuit [9]]: Propt quod postea dñs Rex, hito tractatu diligenti in pleno parliamento suo in Crastino Pur be Mar anno regni sui vicesimo, de comi consilio suo statuit, & extunc firmit pcepit observari, qd heredes, in cujscunq custod fuint, [& [10]] tam plene etatis q infra etatem existentes, heant sũ recupare p bre de vasto in casu pdco, & aliis ubi bre illud

[1] This Title is from the Old Printed Copies. [2] *Vetus Codex, fo.* 33.
[3] [4] [5] [7] [8] [9] [10] Interlined on the Roll: *Vetus Codex* inserts.
[6] qd *Vetus Codex.*

A STATUTE OF WASTE.

Heirs may have an Action by Writ of Waste done in the time of their Ancestors.

WILLIAM BUTLER, which is within Age, and in Ward of our Lord the King, hath shewed unto his Highness, that where Gawin Butler his Brother whose Heir he is, had (1) impleaded one Walter de Hapeton by the King's Writ, for Waste and Destruction made by him the said Walter in certain his Lands and Tenements, which the same Walter held for Term of his Life, of the Inheritance of the aforesaid Gawin in Wimme and Thirke; and the foresaid Gawin, before he had obtained Judgement, died; after whose death the foresaid William by like Writ impleaded the foresaid Walter for the Waste and Destruction made by him of long time; the same Walter, before Gilbert Thornton and his companions assigned to hear the King's Pleas, came in, and said, that he ought not to answer to the same William for the Waste and Destruction made in the time of another, before the Right of the said Inheritance descended unto him, and thereupon demanded Judgement: And Forasmuch as certain Justices did not agree in giving of the said Judgement, because it seemed to some that it should not be agreeable to the Law, that any Person should obtain advantage and recompense by the foresaid Writ, which is a Writ of Trespass done to a Person certain, but only the same Person to whom and in whose time the Trespass was done; other Justices, with the more part of the King's Council, were in the contrary opinion, alledging by divers reasons, that the said William ought to be heard and answered unto, and all other whatsoever they be, in like cases, [or in like Trespasses; And because like matters have remained not amended, and Trespasses unpunished, which was inconvenient [2]]: Wherefore our Lord the King (3) in his full Parliament holden the day after the Feast of the Purification, in the Twentieth year of his Reign, [by a general Council [4]] hath ordained, and from henceforth hath commanded to be straitly observed, That every Heir, in whose Ward soever he be, and as well within Age as of full Age, shall have his Recovery by a Writ of Waste in the foresaid case, and also in other where the same Writ

[1] *lately*

[2] *or else like Trespasses in the like case would always remain unamended, and Trespassers unpunished; which would be hard and inconvenient for those Heirs to whom such Trespass should be done:*

[3] *afterwards, having diligent consideration*

[4] *by his common Council*

[ought to hold place; and it shall hold place,[1]] as well for Waste and Destruction made in Lands and Tenements of his own Inheritance, and as well in the times of his Ancestors, as at any other time that the Fee and Inheritance descended unto him, and shall be answered unto therefore; and that he shall recover the Tenements wasted, and Damages, as it is ordained in the [Second Statute[2]] of Westminster, of Damages to be recovered in a Writ of Waste, if the Tenant be convict of Waste. And It is commanded by the King himself unto the same Gilbert Thornton and his Companions, that they do proceed in the foresaid matter, and in otherlike from henceforth; and Judgement shall be given according as the matter is found. And likewise It is commanded unto the Justices ([3]) that they shall cause all the foresaid things to be straitly observed before them from henceforth.

[1] *holdeth place,* [2] *last Statutes*
[3] *of the Bench, in full Parliament,*

locū ħer, tam de vasto & destrucc̃oe fc̃is in terris & ten̄ de hereditate sua, tam tempib3 antecessoꝝ suoꝝ q̄ a tempe quo jus & feodum hereditatis ei descenderūt & inde respondeant[r], & qd recupent ten̄ vastata & dampna, ꝑut statuit[r] in ultimis statutis Westm̄ de dampnis recupand ꝑ ħre de vasto, si tenēs de vasto cōvincat[r]. Et ꝑceptū est ꝑ ip̄m Regē ꝑdc̃is G. de Thorntoñ & soc̃ suis qd in loquela ꝑdc̃a & in consimilib3 de ceto ꝓcedant, & sc̃dm [qd[1]] inveniri cōtiḡit judiciū reddant. Et simili ꝑceptū est Justic̃ [de Banco in pleno ꝑliam̃to,[2]] qd hoc idem coram eis de ceto faciant firmi ꝑ observari. &c.

[1] } Interlined on the Roll: *Vetus Codex* inserts.
[2] }

The Statute of defending Right.

Of those who come in collaterally before Judgement.

WHERE One by the King's Writ doth demand any Tenements against Tenant by the Courtesie, in Tail, in Dower, or ([1]) for Term of Life, or of Years, and the Demandant sueth so far that the Lands be in manner [recovered,[2]] whereupon another, [not Party to the Suit cometh in[3]] before Judgement given, and saith, That he hath Fee and Right in those Lands, and prayeth the Court, that in as much as he is come before Judgement, ready to defend his Tenement, and to make answer unto the Demandant, that he may be admitted thereunto by force of a Statute made by the King that now is, amongst other the last Statutes made at Westminster; by which Statute as well such as had no Right, as they which had Right, oftentimes in the case before mentioned, falsely, and in Deceit of the Court did come in, and pray to be received to make Answer, that by their Admission they might prolong the Demandant from the Judgement and Seisin of his Land, and to cause those Demandants to plead of new; and so the Demandants are [greatly[4]] deferred in the case aforesaid to recover their Right in the King's Court, by reason of such Malice, [as well by mistaking of the said Statute, as[5]] for any other cause just and reasonable; and this is used and found often before our Justices: Wherefore our Lord the King, for to withstand all such Malice in the aforesaid case, and intending to provide a Remedy therein, in his full Parliament, and by his Common Council, hath ordained, and from henceforth commanded straitly to be observed, that is to wit, from the Monday next after the Feast of the Purification of the Virgin, the Twentieth year of his Reign, that when any before Judgement in the foresaid case cometh in by a collateral Title, and desireth to be received, before his Receipt he shall find sufficient Surety, as the Court will award, to satisfie the Demandant of the value of the Lands so to be recovered, from the day that he is received to make answer until the time that final Judgement be given upon the Petition of [the Demandant. And if[6]] the Demandant recover his Demand, [the Defendor[7]] shall be grievously amerced, if he have whereof; and if he have not, he shall be imprisoned at the King's Pleasure. And if he can prove his Right to be as good as he affirmed at such time as he was received, he shall go quit.

See Westm. 2. ch. 3.

Persons received to defend under the Statute, shall give Security.

[1] *in other manner*
[2] to be lost, *and adjudged to him*
[3] cometh in on the side
[4] *more often*
[5] *founded on pretence of the said Statute, than*
[6] *the Demandant, if*
[7] *and he*

Statutum de defensione Juris.[1]

Ex Rot. de Parl. 20 Edw. I. m. 3. d.[2]

D' illis q[i] supvenint ante judm.

CUM quis ꝑ ħre dñi Regis petat aliqua ten̄ versus tenentē ꝑ legem Angł, ꝑ feodū talliatū, nōie dotis vt alio modo ad ꝑminū vite vt annoꝝ, & petens tantum fuit ꝑs̄ qd tenem̃ita sit quasi amittenda & sibi adjudicanda, & sup hoc venit ante judm redditum aliquis a late dicens se ħre feodū & jus in ten̄ illis & Cur̄ supplicavit qd ex quo ante judm venit tenementū suū defensur̄ & patus inde petenti responsur̄, qd ad hoc admittatur rōne cujusdam statuti dñi Regis nūc int̄ ceta ultima statuta Westm̄ editi, ꝑ quod statutū tam nullū jus habentes q[s] illi qui jus ħuunt, multociens in cāu predco fto & in decepc̃om Cur̄ supervenūt & petierunt se admitti responsuri, ut ꝑ admissionem suam possent petentes elongare de judo & sēia demande sue ħndis, & ad faciend eosdm petentes de novo plitare, & sic petentes in Cur̄ Regis in cāu ꝑdco sepius elongant[r] jure suo, ꝑ maliciā supradcam de statuto ꝑdco superveniente q[s] ex justa causa aut racōnabili ꝑut coram Justic̃ mltociens contigit & invenit[r]: ꝓpt quod Dñs Rex ad maliciam ꝑdcam in cāu ꝑdco destruend, remediū volens appone, in pleno ꝑliamēto suo, & de com̃i consilio suo statuit & firmi ꝑ de ceto, videlt a die Lune ꝓxia post Pur̄ be Virḡis anno regni sui xx°. ꝑcepit observari, qd cum aliq's a late ante judm in cāu ꝑdco supvenit & petierit se admitti, anteq[s] admittat[r] invēiat sufficientem sec'itatem ꝑut Cur̄ visum fuit ad respondend petenti de valore ten̄ sic amittendi, a die quo recipit[r] responsur̄ usq; diem quo judm finale fiet sup petic̃one petent̄ si ille petens demandam suam recupet, Et graviter amciet[r] si ħeat unde, Et si non ħeat cōmittat[r] gayole ad voluntatem ꝑ. Et si verificare poit jus suū esse tale, quale illud asseruit qn̄ petiit ip̄m admitti eat quietus. &c.

[1] This Title is from the Old Printed Copies.
[2] *Vetus Codex, fo.* 32, *b.*

Ex Rot. de Parl. 20 Edw. I. m. 3. d.[1]

D' bri de inq'sicõne concedenda de ꝑris ad manũ mortuã ponend.

D' Religiosis ꝑras aut teneñta decet̃o de feodis suis aut alioꝝ ꝓquirere volentibꝫ, ꝓ quod ꝑre aut teñ illa ad manũ mortuam devẽiant, cont[a] formam statuti dñi Regis nup sup hoc editi; ꝓ iꝑm dñm Regem & consiliũ suũ, in pleno ꝓliañto suo ꝓvisum est & concordatum, qđ decet̃o, videlt de die Lune ꝑdco, non concedat[r] alicui bře dñi Regis in Cancellař de Inquisic̃one facienda, si sit ad dampnũ dñi Regis vł alioꝝ, si iꝑe dare possit & assignare aliquibꝫ religiosis, aut aliis, ꝑras aut teneñta aliqua jux[a] formam ꝑris in Cancellař [usitate[2]] in cãu ꝑdco, ꝓ quod ꝑre aut teñ illa in manũ mortuã deveniant, nisi ꝓ petic̃ones in pleno ꝓliañto porrectas: Et Ita qđ si Religiosi illi, aut alii quibꝫ ꝑre aut teñ illa sic fuint concedenda, sint ita paupes & exiles qđ de suo ꝓp'o viv̄e non pot̃int, Dñs Rex sup hoc ꝑito consilio faciet de gr̃a sua quod sibi placuit: &c.

[1] *Vetus Codex, fo.* 32, *b.* [2] usitati *Vetus Codex.*

Ex eodem Rot. m. 5.[1]

D' Inquisic̃onibꝫ nõ allocand de ꝑris ponẽd ad mortuã manũ.

D' concessione dñi Regis faciend sup Inquisic̃onibꝫ ret'natis in Cancellař de terris ad mortuã manũ ponend, Rex ꝑcepit qđ nichil fiat, ubi medii sunt, nisi religiosi ostendant eoꝝ assensũ dño Regi ꝓ litt̃as patentes eoꝝdem medioꝝ sigill signatas. Et eciam qđ nicł fiat ubi donator penes se nichil retinet; Et similr ubi Inquisic̃ones f̃ce sunt & retornate sine Wař, videlt, bři originali ret'nato cum inquisic̃one. Et similr nisi bře originale menc̃om faciat de singlis articulis, sc̃dm novam formam, ꝓ iꝑm Regem adjectis. &c.

[1] *Vetus Codex, fo.* 36, *sub An.* 20 *Edw. I.*—In the Old Printed Copies this is given as of the 34th Year of King Edward I. with the Title 'De terris & ten' non amortizandis.'

STATUTE of Writs for making Inquisitions of Lands to be put in MORTMAIN.

Of the granting the Writ of Inquiry concerning Lands to be put in Mortmain.

CONCERNING Men of Religion who may hereafter desire to purchase Lands or Tenements of their own Fees or others, whereby those Lands or Tenements should fall into Mortmain, against the Form of the Statute of our Lord the King thereupon of late enacted; It is Provided and accorded by our said Lord the King and his Council, in his full Parliament, that from henceforth, that is to say, from the Monday aforesaid;*

The Writ of our Lord the King in the Chancery to make Inquisition, whether it be to the loss of our Lord the King, or of others, if he give or assign to any Religious Men or others, any Lands or Tenements according to the Form of the Writ used in the Chancery, shall not be granted to any Man, in case where those Lands or Tenements are to come to Mortmain, but by Petitions put up in the full Parliament: And so that if those Religious Men, or other to whom such Lands or Tenements are to be granted, be so needy and poor that they cannot live of their own, Our Lord the King hereupon, after due advice had, shall do as shall please his Grace.

* *See the Statute immediately preceding.*

A STATUTE OF AMORTISING LANDS.

In what Cases Inquests, for Lands to be amortised, shall not be allowed.

TOUCHING the King's Grant to be made upon Inquests returned into the Chancery for Lands to be aliened into Mortmain, the King commandeth that nothing shall be done, where there be any Lords mean, except the Religious Persons can shew to our Lord the King, their Assent under their Patents, sealed with their Seals. And that nothing shall pass in case where the Donor reserveth nothing to himself; and likewise where Inquisitions be made and returned without Warrant, that is to wit, the Writ original returned with the Inquest; and likewise unless the Writ original make mention of [every thing, according to the new Ordinance devised by the King.[1]]

[1] *the several particulars added by the King himself according to the new Form, &c.*

Anno 21° EDWARDI, I. A.D. 1293.

STATUTUM DE MALEFACTORIBUS IN PARCIS.[1]

Ex Rot. de Placit. ad Parl. post Pasch. 21 E. I. m. 4. d.[2]

D' malefc̃oribꝫ in pcis forest̃ & [Warenñ.[3]]

UT malefactores in forestis, Chaceis, Parcis, & Warennis de cet̃o plus timeant in eisdem int[a]re & malefac̃e q[a] consuev̄ut, Dñs Rex ad Pliamentum suũ post Pasch anno r̃ sui vicesimo p'mo, ad instanciam magnatum regni sui concessit & firmit̃ extunc ꝑcepit obs̃vari, qđ si quis forestař, pcarius, aut Warennař in ballia sua malefc̃ores aliquos invenit̃ in ballia sua vagantes, ad dampnum ibidem faciend, & qui se forestař, pcariis, aut Warennař illis, post clamorem & utesium levatum ad pacem Regis ad stand recto, redde nolũint, Immo maliciam suam ꝓsequendo & continuando, & pacem Regis diffugiendo fugam fec̃int & vi & armis se defendint, Licet forestarii, pcarii, aut

[1] This Title is from the Old Printed Copies.

[2] *Vetus Codex, fo.* 48, *b.* [3] Vivariis. *Vetus Codex.*

THE STATUTE OF TRESPASSERS IN PARKS.

Concerning Trespassers in Parks, Forests, and Warrens.

TO the Intent that Trespassers in Forests, Chases, Parks, and Warrens, may more warily fear hereafter to enter and trespass in the same, than they have heretofore, Our Lord the King, at his Parliament after Easter, the twenty-first year of his Reign, at the instance of the Nobles of his Realm, hath granted and commanded to be from henceforth firmly observed; That if any Forester, Parker, or Warrener shall find any Trespassers wandering within his Liberty, intending to do Damage therein, and that will not yield themselves to the Foresters, Warreners, or Parkers, after Hue and Cry made to stand unto the Peace, but do continue their malice, and disobeying the King's Peace, do flee, or defend themselves with Force and Arms; although such Foresters, Parkers, and Warreners, or any other

[coming in their Company, and aiding such Foresters, Parkers, and Warreners in the King's Peace, do kill any Offender or Offenders being so found, either in arresting or taking them, or any of them,'] they shall not be troubled upon the same before the King [and his Justices, or before any other the King's Bailiffs, or any other [2]] within any Franchise or without, nor shall leese for so doing either Life or Limb, or suffer any other Punishment, but shall enjoy the King's Peace as they did before. Notwithstanding, let all such Foresters, Parkers, Warreners, and all other beware, that by reason of any [Malice,[3]] Discord, Debate, or other evil Will ([4]) had before time, they do not maliciously pretend against any Person passing through their Liberties, that they came thither for to trespass or misdo, when of truth they did nothing, nor were not found [as Trespassers[5]] and so kill them; for if they do, and be convict thereupon, [the death of such Persons shall be inquired, and Execution shall be done, in like manner as is done for[6]] other of the King's Subjects standing in his Peace, and like as it ought to be done of Right, and according to the Law and Custom of the Realm.

[1] *being in the King's Peace, and coming in the company of such Foresters, Parkers, or Warreners, to arrest or take such Trespassers so found, do kill any one or more of such Trespassers,*
[2] *or any of his Justices, or before other Bailiffs of our Lord the King, or of any other whomsoever*
[3] *Contention* [4] *or Hatred*
[5] *wandering to do Mischief, nor doing Mischief, nor seeking an occasion of doing Mischief,*
[6] *the like proceeding shall be had for the death of such so killed, as of*

Warennar̃ illi, seu alii q'cumq; ad pacem dn̄i Reg̃ existentes & in comitiva forestar̃, pcar̃, aut Warennar̃ illoz venientes, ad tales malefactores sic inventos arestandos seu capiendos, aliq'm seu aliquos hujusmodi malefactoz int'fecint; non ppt hoc occonentur coram dño Rege, Justic̃ suis quibscumq; aut aliis Ballis dn̄i Reg̃ seu alioz quozcumq; inf' libtatem aut ext', nec ppt hoc amittant vitam aut membrum, aut aliam penam subeant, Immo firmam pacem dn̄i Reg̃ inde hẽant. Set bene caveant forestarii, pcarii, Warennar̃ & alii quicumq; ne occone contencois, discordie, contumelie, aut alicujus malivolencie, seu odii p'habitoz, aliquibs p ballias suas t'nseuntibs malicose inponant, qd causa malefaciendi in ballis suis int'nt, cum hoc non fecint, nec ipos vagantes ut malefaciant nec malefacientes invenint, nec causam malefaciendi querentes, & sic eos occidant; qd si fecint, & de hoc fuint convicti, fiat de morte sic int'feoz put alioz ad pacem dn̄i Reg̃ existencium, & put de jure & scdm consuetudiem regni fuerit faciend. &c.

Statute of The Justices of Assise.

Concerning Justices assigned. *Stat. Westm. 2. 13 E. I. c. 30.*

WHEREAS Our Lord the King did of late in his last Statutes of Westminster direct, that in every County certain Justices and no others should be assigned, to take the Assises, Juries, and Certificates in those Counties, at certain seasons: And because as well the Justices of either Bench, as the Justices in Eyre, when they were not upon the Circuit, who had been assigned to do the said office within limited times, being often hindered as well by reason of their office, as by the commands of our Lord the King to them directed, could not come at the Days and Places which they had appointed; by reason whereof through their absence many were put off from their Right, and Trespasses remained unpunished: Our Lord the King being willing as far as he is able, that every one of his Subjects should have speedy Justice upon wrong done unto him, doth command, that

Four Circuits appointed for the taking of Assises, &c. throughout the year.

From henceforth there shall be assigned eight circumspect and discreet Justices, to take Assises, Juries, and Certificates through the whole Realm, that is to say; Two in the Counties of York, Northumberland, Westmorland, Cumberland, Lancaster, Nottingham, and Derby. And Two in the Counties of Lincoln, Leicester, Warwick, Stafford, Salop, Northampton, Rutland, Gloucester, Hereford, and Wigorn. And Two in the Counties of Cornwall, Devon, Somerset, Dorset, Wilts, Southampton, Oxon̄, Berks, Sussex, and Surrey. And Two in the Counties of Kent, Essex, [Suffolk, Norfolk,'] Cambridge, Huntingdon, Bedford, and Buckingham. And the Assises, Juries, and Inquests of the County of Middlesex shall be taken before the Justices of the Bench. Which said eight Justices assigned to take the Assises [and Certificates aforesaid,[2]] shall especially attend and [daily[3]] through the whole year, that is to say ([4]) in the places where they think best and most for the ease of the People: And the Term of the Statute last made at Westminster, of taking of Assises, in no wise shall be observed. Nor no Writs of Assises, Juries, or Recognisances shall be granted to be taken before any other Justices than before the aforesaid Justices assigned, except it be of the special Grace of the King, &c.

[1] *Hertford, Norfolk, Suffolk,* [2] *Juries and Certificates*
[3] *diligently* [4] *at the days and*

Statutum de Justiciariis Assignatis.[1]

Ex Rot. de Placit. ad Parl. post Pasch. 21 E. I. m. 3. d.[2]

D' Justic̃ assignatis.

CUM Dn̄s Rex nup in ultimis statutis suis Westm̄ pcepisset, qd in singlis Comitatibs ci Justic̃ assig'rent' ad assis̄, Jur̄, & cificacões capiend in Com̄ illis, cis tempibs, & non alii: ac p eo qd tam Justic̃ de utroq; Banco, q' Justic̃ Itinantes, [cū in Itinibs non fuint,[3]] qui ad pmissa facienda assig'ti fuunt tempibs limitatis, multociens impediti, tam rone officii sui, q' pceptoz dn̄i Reg̃ s' dir'toz, venire non potuunt ad dies et loca p ipos assign̄: ppt quod p eoz absenciam multi jure suo fuunt elongati, & injurie remanserūt inpunite; Dn̄s Rex, in q'ntum potuit, volẽs qd unicuiq; de Regno suo de injuria s' facta, celeris fiat justicia, pcipit, qd decet'o assignentur octo Justic̃ circumspecti et discti, ad assi's, Jur̄, & cificacões capiend p totum Regnū Angl; Duo vidlt in Com Eboz, Northumbr̄, Wesmld, Cumbr, Lanc̃, Notingh̄, & Derb. Et duo, in Com̄ Lyncoln̄, Leyc̃, Warr̄, Staff, Salop̄, North̄, Rotel, Glouc̃, Herf, [& Wugorin̄.[4]] Et duo, in Com̄ Cornub̄, Devon̄, Somers̄, Dors̄, Will̄, Sutht, Oxon̄, Berk, Sussex̃, & Surr̄. Et duo, in Com̄ Kanc̃, Essex, Hertf, Norff, Suff, Cantebr̄, Huntingd, Bed, & Buk. Et assie Jurate & recogn̄ de Com̄ Midd capiant' coram Justic̃ de Banco. Qui quidem octo Justic̃ ut pdc̃m est assig'ti, ad assi's, Jur̄, et cificacões capiend, spali' [intendant[5]] & assidue p totum annum, diebs & locis quibs melius & plus ad comodū popli vidint esse faciend, cis statutis in pdco ultio statuto Westm̄ ad as's capiend nullatenus obvatis. Nec concedant' aliq' brīa de assis̄, Jur̄, vl recogn̄ alicui, coram aliis Justic̃ q' coram pfatis Justic̃ assignatis, nisi de spali gra dn̄i Reg̃. &c.

[1] This Title is from the Old Printed Copies. [2] *Vetus Codex, fo. 47.*
[3] Interlined on the Roll; *Vetus Codex* inserts.
[4] Wygorn̄. *Vetus Codex.* [5] attendant *Vetus Codex.*

Statutū de illis q' debent poni in Jur' & Assis'.*

The Statute of Persons to be put in Assises and Juries.

Ex magno Rot. Stat. in Turr. Lond. m. 41.

QUIA Dñs Rex, p publicam & frequentem querimoniam mediocris popli sui, attendēs qd q'mplures de regno suo, minus sufficientes ad recognicōnes Juratar inquisicōnū, assisar, & attinctar, ex' Comitatus pp'os faciend, p vicecomites, ballios suos, & ballivos libtatum, dicioribus & magis sufficientib p quos rei veritas melius sciri posset parcentes, sepius & intolerabili fatigantur, per quod multa dispendia & incomoda, quoad depaupacōm popli pdci & exheredacōm multor simili de die in diem imminent manifeste, Idem Dñs Rex indempnitati ejusdem popli pspiciens, ac salubre remediū in pmissis desiderans adhiberi, ad cōem utilitatem, in Parliamento de Pmino. Sci Michis, anno regni sui vicesimo p'mo, incipiente [anno scdo,[1]] statuit in hac pte qd nullus vicecomes, subvicecomes, vel eor ballivi, senescalli, sive ballivi libtatum, decet ponant in aliquib recognicionibus sup'dcis, aliquem de ballivis suis, ex' Comitatus suos pp'os faciendis, nisi heat tras aut ten ad valenciam Centū solidor p annū ad minus. Nec intendit Dñs Rex, p statutū istud, [restringere,[2]] ultimū statutū Westm, in quo fit menco de recognitoribus ponendis in Juratis & in assisis, nisi de hiis tātūmodo qui ex' Com ppriū ire debeāt ad recognicōnes aliquas faciend; Ita tamen qd infra Com, coram Justiciar assignatis vel aliis ministris Dñi Reg, ad Juratas Inquisicōnes seu alias recognicōnes capiend, nō ponatur aliquis nisi heat tras vt ten ad valenciam quadragita solidor p annū ad minus; Et salvo simili qd coram Justiciar Itinantib, ad cōia plita in Itinerib suis, & eciam in Civitatib Burgis & aliis villis mcatoriis, in quib recognicōnes, assise, Jurate, seu inquisicōnes, emserint faciende, sup quib cūq, Civitates, Burgos seu villas illas tangentib, fiat put temporib pritis fieri consuevit. T. R apd Turrim Londoñ xiij. die Decembr anno regni sui vicesimo scdo.

Et memorand qd istud statutū de vbo ad vbum missum fuit in Hibn. T. R. apud Kenyntoñ xiiij. die Augusti anno regni sui vicesimo septimo.

Et mand fuit Joh Wogañ Justic Hibn qd pdcm statutū p totam Hibn, in locis quib expedire viderit, legi & publice pclamari ac firmit teneri faciat. T. R. ut sup'.

[1] vicesimo scdo [2] rescindere

FORASMUCH as Our Lord the King, by the continual and grievous Complaint of his inferior People, doth perceive, that divers Persons being of least ability of his Realm, are many times intolerably troubled by Sheriffs and their Bailiffs, Bailiffs of Liberties, which impanel them to the Recognisances of Assises, Juries, Inquests and Attaints, triable out of the Shires where they be dwelling; and do spare the Rich People, and such as be more able, by whom the truth of the matter might be better known, whereby great expences and trouble doth daily manifestly ensue, to the impoverishment (1) and utter disheriting of many: Our said Lord the King, providing for the indempnity of his People, and desiring to set convenient Remedy in the premises for the publick Weal of his Realm, in his Parliament holden in the Term of Saint Michael, the one and twentieth (2) year of his Reign, hath ordained in this behalf, That no Sheriff, Under-sheriff, or their Bailiffs, Stewards, or Bailiffs of Liberties, shall from henceforth put in any Recognisance abovesaid, that shall pass out of their proper Counties, [any of their Bailiffs.[3]] except he have Lands and Tenements to the yearly value of an hundred shillings at the least. And the King intendeth not by this Statute to restrain the last Statute of Westminster, wherein mention is made of Recognisors to be put in Juries and Assises, but of such only as [ought to pass in Assises, Juries, and Recognisances triable out of their proper Counties;[4]] so that (5) within the County, before Justices of our Lord the King, or other Ministers assigned to the taking of any such Inquests, Juries, or other Recognisances, none shall be impanelled, except he have Lands or Tenements to the yearly value of forty shillings (6); and likewise saving that before Justices Errant, that hold Common Pleas in their Circuit, and also in Cities, Boroughs, and other Market Towns, where Recognizances, Assises, and Juries or Inquests do pass upon any matter touching the said Cities, Boroughs, and other Towns, it shall be done like as hath been accustomed in times passed. T. R. at the Tower of London, the xiij. day of December, in the xxij. year of his Reign.

Qualifications of Jurors on Trials, out of their Counties;

See Westm. 2. *ch.* 30, 38.

Within their Counties.

A Saving, as to Juries in Eyre; and in Cities, Boroughs, &c.

[1] *of the aforesaid people* [2] *and beginning the two and twentieth,*
[3] *any person in their Bailiwicks,*
[4] *must go out of their proper Counties to make Recognisances;*
[5] *nevertheless* [6] *at least*

And Be It Remembered, that this Statute word for word was sent into Ireland. Witness the King at Kenynton the fourteenth day of August, in the twenty-seventh year of his Reign.

And It was commanded unto John Wogan Justiciary of Ireland, that the said Statute through all Ireland, in those Places in which he may deem expedient, he should cause to be read, and publicly proclaimed, and firmly kept. Witness the King as above.

* This Title is from the Margin of *Rot. de Parl. anno* 21 *Edw. I. incipiente* 22, *m.* 4. from whence the Various Readings in the Notes are taken; and wherewith agrees the Entry in the *Vetus Codex* in the Tower of London.

Anno 23° EDWARDI, I. A.D. 1295.

Statutum de Frangentibus Prisonam.[1]

Ex Rot. Placit. & Memorand. de Parl. 23 *Edw. I. m.* 2. *d.*

D' fngentib psonam.

DE Psonib psonam fngentib Dñs Rex vult & pcipit, qd nullus de cet qui psonā fregit, sheat judiciū vite [& [1]] membror p fracōe psone tm; ni causa p qua capt & ipsonatus fuit tale judm req'reret, si de illa jux' legem & consuetudiem tre fuisset convict, licet tempib pritis atr fieri cōsuev'.

[1] vel *Vetus Codex.*

The Statute of Breaking Prisons.[1]

CONCERNING Prisoners which break Prison, our Lord the King willeth and commandeth, That none from henceforth that breaketh Prison shall have Judgement of Life or Member for breaking of Prison only; except the cause for which he was taken and imprisoned did require such Judgement, if he had been convict thereupon according to the Law and Custom of the Realm, albeit in times past it hath been used otherwise.

Concerning those who break Prison.

[1] The Titles are from the Old Printed Copies and Translations, which attribute this Article to the First Year of King Edward II.

Anno 25° EDWARDI, I. A.D. 1297.

In dorso Rotuli.

Magna Carta de lib'tatibz Angl', & de lib'tatibz Foreste; co'firmata a R. Edwardo; Anno r' sui vicesimo qinto. xxv^to.*

The GREAT CHARTER of the LIBERTIES of ENGLAND, And of the LIBERTIES of the FOREST; Confirmed by King Edward, in the Twenty-fifth Year of his Reign.

Ex magno Rot. Stat. in Turr. Lond. m. 40, 39, 38.

EDWARD by the Grace of God King of England, Lord of Ireland, and Duke of Guyan, [to all Archbishops, Bishops, &c.[1]] We have seen the Great Charter of the Lord Henry sometimes King of England, our Father, of the Liberties of England in these words:

Henry by the Grace of God King of England, Lord of Ireland, Duke of Normandy and Guyan, and Earl of Anjou, to all Archbishops, Bishops, Abbots, Priors, Earls, Barons, Sheriffs, Provosts, Officers, and to all Bailiffs, and other our faithful Subjects, which shall see this present Charter, Greeting: Know Ye, that We, unto the honour of Almighty God, and for the salvation of ([2]) the souls of our Progenitors and Successors [Kings of England,] to the advancement of Holy Church and amendment of our Realm, of our meer and free will, have given and granted to all Archbishops, Bishops, Abbots, Priors, Earls, Barons, and to all [Freemen] of this our Realm, these Liberties following, to be kept in our Kingdom of England for ever.

I. Confirmation of Liberties.

FIRST, We have granted to God, and by this our present Charter have confirmed, for Us and our Heirs for ever, that the Church of England shall be free, and shall have all her whole Rights and Liberties inviolable. We have granted also, and given to all the Freemen of our Realm, for Us and our Heirs for ever, these Liberties under-written, to have and to hold to them and their Heirs, of Us and our Heirs for ever.

II. Reliefs;

Of Earls, Barons, Knights.

IF any of our Earls or Barons, or any other, which hold of Us in chief by Knight's Service, die, and at the time of his death his Heir be of full age, and oweth [to us] Relief, he shall have his inheritance by the old Relief; that is to say, the Heir or Heirs of an Earl for a whole Earldom, by one hundred pound; the Heir or Heirs of a Baron, for an whole Barony, by one hundred marks; the Heir or Heirs of a Knight, for one whole Knight's Fee ([3]) one hundred shillings at the most; and he that hath less shall give less, according to the old Custom of the Fees.

III. Wardship.

Infant made Knight.

BUT if the Heir of any such be within Age, his Lord shall not have the Ward of him, nor of his Land, before that he hath taken of him Homage; and after that such an Heir hath been in Ward, when he is come to full Age, that is to say, to the Age of one and twenty years, he shall have his Inheritance without Relief and without Fine: So that if such an Heir, being within Age, be made Knight, yet nevertheless his Land shall remain in the keeping of his Lord unto the term aforesaid.

IV. Waste during Wardship.

THE Keeper of the Land of such an Heir, being within Age, shall not take of the Lands of the Heir, but reasonable Issues, reasonable Customs, and reasonable Services, and that without Destruction and Waste of his men and his goods. And if We commit the custody of any such Land to the Sheriff, or to any other

[1] *To All to whom these present Letters shall come, Greeting.*

[2] *our Soul and* [3] *by*

(')DWARDUS dei gra Rex Angl Dns Hibn & Dux Aquit: Omnib3 ad quos psentes litre pvenint saltm. Inspeximus magnam cartam dni H. quondam Regis Angl pris nri de libertatib3 Angl in hec verba. Henricus dei gra Rex Angl, Dns Hibn, Dux Normann, Aquit, & Comes Andegav, Archiepis, Epis, Abbatib3, Priorib3, Comitib3, Baronib3, Vicecomitib3, Prepositis, Ministris, & omnib3 Ballis & fidelib3 suis psentem cartam inspectur saltm. Sciatis qd nos intuitu dei, & p salute anime nre, & animar antecessor & successor nror, ad exaltacoem scre ecclie, & emendacoem regni nri, spontanea & bona volutate nra, dedim9 & concessim9 Archiepis, Epis, Abbatib3, Priorib3, Comitib3, Baronib3, & omnib3 de regno nro, has libtates subscriptas, tenendas in regno nro Angl imppetuum.

In p'mis concessim9 deo, & hac psenti carta nra confirmavim9 p nob & hered nris imppetuum, qd ecclia Anglicana libera sit, & habeat omnia jura sua integra, & libtates suas illesas. Concessim9 eciam & dedim9 omnib3 liberis hominib3 regni nri, p nob & heredib3 nris imppetuum, has libtates subscriptas, tiendas & tenendas eis & hered suis, de nob & hered nris imppetuum.

Si quis Comitum vel Baronum nror, sive alior tenenciu de nob in capite, p sviciu militare, mortuus fuerit, & cum decesserit, heres ej9 plene etatis fuerit, & releviu debeat, tiat hereditatem suam p antiqu relevium scilt heres vt heredes Comitis de Comitatu integro p centu libras; heres vt heredes Baronis, de Baronia integra, p centu marcas; heres vt heredes militis de feodo militis integro, p centu solidos ad plus, & qui min9 [habuerit,[2]] minus det, scdm antiquam consuetudine feodor.

Si autem heres alicuj9 taliu infra etatem fuerit, dns ejus non tiat custodiam ejus, nec terre sue, anteq[a] homagiu ejus cepit; & postq'm tal heres fuerit in custodia cum ad etatem pvenerit, scilt viginti & unius anni, tiat hereditatem suam, sine relevio, & sine fine: Ita tn, qd si ipe dum infra etate fuerit fiat miles, nichilomin9 terra remaneat in custodia dnor suor usq, ad terminu pdcm.

Custos terre hujusmodi heredis, qui infra etatem fuerit, non capiat de terra heredis, nisi racionabiles exit9 & rnabiles consuetudines & rnabilia svicia, & hoc sine destrucone & vasto hoim & rer. Et si nos comiserim9 custodiam alicuj9 tal terre, vicecomiti, vl

[a] A Blank for the Letter E.

[2] debuit *L.*

* This Indorsement is at the bottom of Membrane 38, of the Roll, being the last of the three Membranes on which are entered The Inspeximus and Confirmation of the Great Charter and of the Charter of the Forest, the Charter of Confirmation in French, and the King's Pardon; in Order as they are printed from hence to the End of page 124. In all former Printed Copies the Great Charter and the Charter of the Forest, as granted by King Henry III. and confirmed by King Edward I. have been inserted under the ninth year of K. Henry III. See the Collection of Charters of Liberties preceding the Statutes, and Chapter II. of the Introduction prefixed to this Volume. The Various Readings marked *L.* are from the Charter of Inspeximus 25 Edw. I. under the Great Seal preserved among the Archives of the City of London. See page 33, of the Charters of Liberties.

Entry of the Inspeximus of Magna Carta upon the Statute Roll 25 Edw. I.

Mandatum dei gra Edw Regi Angl dño hibn & Duci Aquit. Omnibz ad quos psentes lre pvenerint salt'm Inspeximus irrotulam cartam dñi H. quondam Regis Angl pris nri de libertatibz Angl in hec verba. Henricus dei gra Rex Angl dns hibn Dux Normann Aquit & Comes Andegau. Archiepis Epis Abbatibz Prioribz Comitibz Baronibz Vicecomitibz Prepositis ministris & omnibz ballis & fidelibz suis psentem cartam inspecturis salt'm. Sciatis nos intuitu dei & p salute anime nre & animarz patrum & successorum nrorum ad exaltacem sce ecclie & emendacem regni nri sponte nra & bona voluntate nra dedimus & concessimus archiepis Epis Abbatibz Prioribz Comitibz Baronibz & omnibz de regno nro has libertates subscriptas tenendas in regno nro imppetum. In p'mis concessimus deo & hac psenti carta nra confirmavimus p nob & heredibz nris imppetum quod ecclia Anglicana libera sit & habeat omnia jura sua integra & libertates suas illesas. Concessimus etiam & dedimus omnibz liberis hominibz regni nri p nob & heredibz nris imppetum has libertates subscriptas habendas & tenendas eis & heredibz suis de nob & heredibz nris imppetum. Si quis comitum vel Baronum nrorum siue aliorum tenentium de nob in capite

The Entry continues without any division of Paragraphs and concludes as follows.

tenentium cujuscumq; suos simili modo hac ante donacione & concessione libertates & liberas consuetudines quas concessimus in regno nro tam clericis quam laicis quantum ad nos pertinet erga suos similiter observabit. Quare volumus & firmiter precipimus pro nobis & heredibz nris quod Archiepi Epi Abbates Priores Comites Barones milites libi tenentes & omnes de regno nro habeant & teneant predicta bene & in pace libe & quiete plene & integre sibi & heredibz suis de nobis & heredibz nris in omnibz & per omnia sicut predictum est. Testibz hiis testibz dño S. Cantuar Archiepo P. London Epo. J. Wigorn Epo. P. Winton. H. Lincoln. R. Sar. W. Roffn. W. Cicestr. J. Elien. H. Hereford. R. Ciceftr. W. Exon Epis. Abbe sci Edmundi Abbe sci Albani. Abbe de Bello. Abbe sci Augustini Cantuar. Abbe de Evesham Abbe de Westm. Abbate de Burgo sci Petri. Abbe de Redingg. Abbe de Abindon. Abbe de Malmesbyr. Abbe de Cirencestr. Abbe de Hida. Abbe de Certesye. Abbe de Glaston. Abbe de Depe. Abbe de Abbotesbyr. Abbe de Cerdikeston Abbate de Selebi. Abbate de Evesham. Abbate de Burgo Pisticiaci. H. comite Cestr & Lincoln. W. comite Sar. W comite Warenn. G. de Clare comite Glouc & Hertford. W. de ffferrar comite Derb. W. de Mandevill Comite Essex. H. le Bigod comite Norff. W. comite Albemarle. H. comite Hereford & constabular Cestr. W. de Vet. R. filio Walteri de Beri ponte. W de Bruer. R. de Mumbrefichet. P. filio Herb. W. de Aubeny. M. Gresly. M de Bryan. S. de Avenenue. J. fit Alani. Hide avorne agni. W. de Bello campo. W. de St Johe. P. de Arabo Lacu. Brano de Insula. Thoma de Muleton. R. de Argentem. G. de Neuill W. Mandut. & de Balliu & alijs. Data apud Westm. xv die Octobr. anno R. H. nono. Nos autem donaciones concessiones predictas patras hentes & probatas eas & nos & heredibz nris concedimus & confirmamus eas & ea tenore psentium innovamus. Volentes & concedentes p nob & heredibz nris quod carta predicta in omnibz & singulis suis articulis imppetum firmit & inviolabilit observet. Quare & aliqui articuli in eadem carta contenti hucusq; forsitan non fuerint observati. Fr'm rei testimon has lras nras fieri fecimus patentes. Teste Edwardo filio nro apud Westm. xiii decimo die Octobr anno R. nro tricesimo quinto.

alicui alii, qui de exitibꝫ terre illius noꝝ debeat respondere, & ille de custodia destruccõem vt vastum fecerit nos ab eo capiem⁹ emendam, & ꝑra cõmittat' duobꝫ legalibꝫ & discretis hominibꝫ, de feodo illo, qui de exitibꝫ terre illius noꝝ respondeant, vt illi, cui illos assignavim⁹. Et si dederim⁹ vt vendiderim⁹ alicui, custodiam alicuj⁹ tal terre, & ille inde destruccõem fecit, vt vastum, amittat illam custodiam; & tradat' duobꝫ legalibꝫ & discretis hõibꝫ de feodo illo, qui similiꝫ noꝝ respondeant, sicut ꝑdcm est.

Custos autem, q'mdiu custodiam ꝑre hujusmodi habuerit, sustentet domos, parcos, vivaria, stagna, molendina, & ceꝑa ad ꝑram illam ꝓtinencia, de exitibꝫ ꝑre ejusdē; & reddat heredi, cū ad plenam etatem ꝓvenit, terram suam totam instauratam de carucis, & de oīnibꝫ aliis rebꝫ, ad minus sicut illam recepit. Hec õia observent' de custodiis Archiepatuū, Epatuū, Abbathiaꝝ, Prioratuū, Ecclias, & Dignitatū vacanciū, que ad nos ꝓtinent; excepto qd custodie huj⁹modi vendi non debent.

Heredes maritent' absq; dispagacione.

Vidua post mortem mariti sui, statim & sine difficultate aliq' ħeat maritagiū suū, & hereditatem suam; nec aliquid det ꝑ dote sua, nec ꝑ maritagio suo, vel ꝑ hereditate sua, quam hereditatem maritus suus & ipa tenuerūt [simul,[1]] die obit⁹ ipius mariti sui; & maneat in capitali mesuaꝫ mariti sui, ꝑ quadraginta dies, post obitū mariti sui, infra quos dies assignet' ei dos sua, nisi p'us fuit ei assignata, vel nisi dom⁹ illa sit castrum; & si de castro recesserit, domus ei competens statī ꝓvideat', in qua possit honeste morari, quousq; dos sua ei assignet' scdm qd ꝑdcm est; & ħeat racionabile estoveriū suū intim de cõi: Assignet' autē ei ꝑ dote sua ꝑcia ps toci⁹ ꝑre mariti sui, que sua fuit in vita sua, nisi de minori fuerit dotata ad hostium eccle. Nulla vidua distringat' ad se maritandā, dum voluit vive sine marito: Ita tn qd securitatem faciat, qd se non maritabit sine assensu nr̃o, si de noꝝ tenuit, vel sine assensu dñi sui, si de alio tenuit.

Nos vero vt ballı nr̃i non seisiem⁹ ꝑram aliquam vel redditū, ꝑ debito aliq', q'mdiu catalla debitoris ꝓsencia sufficiūt ad debitū reddend, & ipe debitor pat⁹ sit inde satisfac̃e. Nec plegii ipius debitoris distringant', q'mdiu ipe capitat debitor sufficiat ad solucõem ipius debiti; & si capitat debitor defecit in solucõe debiti, non ħens unde reddat, aut reddere nolit cū possit, plegii de debito respondeant; & si voluint, ħeant ꝑras & reddit⁹ debitoris, quousq; sit eis satisfc̃m de debito, quod ante ꝑ eo solut, nisi capitat debitor monstravit se inde esse quietū ꝑs⁹ eosdē plegios.

Civitas Londoñ ħeat oīnes libertates suas antiquas, & consuetudines suas. Preterea volum⁹ & concedim⁹, qd oīnes Civitates alie, & Burgi, & Ville, & Barones de quinq; portubꝫ, & ões port⁹, ħeant oīnes libtates, & libas consuetudines suas.

Nullus distringat' ad faciend majus ꝓvicū de feodo militis, nec de alio libo tenemento, q'm inde debetur.

Communia plita non seq'ntur Cur̃ nr̃am, set teneant' in aliquo loco ꝓto.

Recognic̃oes de nova disseīa, & de morte antecessoris, non capiant' nisi in suis Comitatibꝫ, & hoc modo. Nos, vt si extra regnū fuerimus, capitat Justic̃ nr̃, mittem⁹ Justic̃ nr̃os, ꝑ unumquemq; Comitatū semel in anno, qui cū militibꝫ Comitatuū, capiant in Comitatibꝫ assisas

[t] Interlined on the Roll.—*L.* omits.

which is answerable unto Us for the Issues of the same Land, and he make Destruction or Waste of those things that he hath in Custody, We will take of him amends and recompence therefore, and the Land shall be committed to two lawful and discreet men of that Fee, which shall answer unto Us for the Issues of the same Land, or unto him [whom we will assign.'] And if We give or sell to any man the Custody of any such Land, and he therein do make Destruction or Waste, he shall lose the same Custody; and it shall be assigned to two lawful and discreet Men of that Fee, which also in like manner shall be answerable to Us, as afore is said. Sale or Gift of Wardship.

V. Sustaining Lands in Wardship.

THE Keeper, so long as he hath the Custody of the Land of such an Heir, shall keep up the Houses, Parks, [Warrens,[2]] Ponds, Mills, and other things pertaining to the same Land, with the Issues of the said Land; and he shall deliver to the Heir, when he cometh to his full Age, all his Land, stored with ploughs and all other things, at the least as he received it. All these things shall be observed in the Custodies of Archbishopricks, Bishopricks, Abbeys, Priories, Churches, and Dignities vacant, which appertain to Us; except this, that such Custody shall not be sold. Custody of Spiritual Dignities.

VI. Marriage of Heirs.

HEIRS shall be married without Disparagement.

VII. Widow. Her marriage Estate; Quarantine; Estovers; Dower; Remarriage;

A WIDOW, after the Death of her Husband, incontinent, and without any difficulty, shall have her [Marriage[3]] and her Inheritance; and shall give nothing for her Dower, her [Marriage[3]] or her Inheritance, which her Husband and she held the day of the death of her Husband; and she shall tarry in the chief [house[4]] of her Husband by forty days after the death of her Husband, within which days her Dower shall be assigned her, if it were not assigned her before, or that the house be a Castle; and if she depart from the Castle, then a competent house shall be forthwith provided for her, in the which she may honestly dwell, until her Dower be to her assigned, as it is aforesaid; and she shall have in the mean time her reasonable Estovers [of the Common:[5]] And for her Dower shall be assigned unto her the third part of all the Lands of her Husband, which were his [during Coverture,[6]] except she were endowed of less at the Church-door. No Widow shall be distrained to marry herself (7): Nevertheless she shall find Surety that she shall not marry without our Licence and Assent, if she hold of Us, nor without the Assent of the Lord, if she hold of another.

VIII. The King's Debtor. His Pledges.

WE, or our Bailiffs, shall not seize any Land or Rent for any Debt, as long as the present Goods and Chattels of the Debtor do suffice to pay the Debt, and the Debtor himself be ready to satisfy therefore. Neither shall the Pledges of the Debtor be distrained, as long as the principal Debtor is sufficient for the payment of the Debt; and if the principal Debtor fail in payment of the Debt, having nothing wherewith to pay, or will not pay where he is able, the Pledges shall answer for the Debt; and if they will, they shall have the Lands and Rents of the Debtor, until they be satisfied of that which they before paid for him, except that the Debtor can shew himself to be acquitted (8) against the said Sureties.

IX. Liberties of London, &c.

THE City of London shall have all the old Liberties and Customs [which it hath been used to have]. Moreover We will and grant, that all other Cities, Boroughs, Towns, and the Barons of the Five Ports, and all other Ports, shall have all their Liberties and free Customs.

X. Distress for Services.

NO Man shall be distrained to do more Service for a Knight's Fee, nor any Frehold, than therefore is due.

XI. Common Pleas.

COMMON PLEAS shall not follow our Court, but shall be holden in some place certain.

XII. Assises of Novel disseisin and Mortdancestor.

ASSISES of Novel Disseisin and of Mortdauncestor shall not be taken but in [the[9]] Shires, and after this manner: [If[10]] We be out of this Realm, our Chief [Justicers[11]] shall send our Justicers through every County once in the year; which with the Knights of the Shires shall take the said Assises in those Counties;

[1] *to whom we shall have assigned them.*
[2] *Vivaries,* [3] *Marriage-estate*
[4] mansion [5] *out of the common Estate:*
[6] in his live, *MS. Tr.* 1.
[7] *while she chooses to live single* [8] *thereof*
[9] their [10] We, or if [11] Justicer

Circuits. and those things that at the coming of our foresaid Justicers being sent to take those Assises in the Counties, cannot be determined, shall be ended by them in some other place in their Circuit; and those things, which for difficulty of some Articles cannot be determined by them, shall be referred to our [Justices[1]] of the Bench, and there shall be ended.

Adjournment of Causes for Difficulty.

XIII. Assises of Darrein presentment. ASSISES of Darrein Presentment shall be alway taken before our [Justices[1]] of the Bench, and there shall be determined.

XIV. Amercements of Freemen; Merchants; Villains. A FREEMAN shall not be amerced for a small Fault, but after the manner of the Fault, and for a great Fault, after the greatness thereof, saving to him his [Contenement[2]]; and a Merchant likewise, saving to him his Merchandise; and any other's Villain than ours shall be likewise amerced, saving his Wainage, if he fall into our mercy. And none of the said Amerciaments shall be assessed but by the oath of honest and lawful Men of the Vicinage.

Amercement of Earls. Earls and Barons shall not be amerced but by their Peers, and after the

Ecclesiastics. manner of their Offence. No Man of the Church shall be amerced after the quantity of his Spiritual Benefice, but after his Lay Tenement, and after the quantity of his Offence.

XV. Making of Bridges. NO Town nor Freeman shall be distrained to make Bridges [nor Banks,[3]] but such as of old time and of right have been accustomed to make them [in the time of King Henry our Grandfather.]

XVI. Obstructing of Rivers. NO [Banks[4]] shall be defended from henceforth, but such as were in defence in the time of King Henry our Grandfather, by the same Places and the same Bounds, as they were wont to be in his time.

XVII. Pleas of the Crown. NO Sheriff, Constable, [Escheator,] Coroner, nor any other our Bailiffs, shall hold Pleas of our Crown.

XVIII. The King's Tenant, his Debtor. IF any that holdeth of Us Lay Fee do die, and our Sheriff or Bailiff do shew our Letters Patents of our Summon for Debt, which the dead man did owe to Us, it shall be lawful to our Sheriff or Bailiff to attach and inroll all the Goods and Chattels of the Dead being found in the [said Fee,[5]] to the value of the same Debt, by the sight [and testimony] of lawful men: So that nothing thereof shall be taken away, until [we be clearly paid off the Debt;[6]] and the Residue shall remain to the Executors, to perform the Testament of the Dead; and if nothing be owing unto Us ([7]), all the Chattels shall go to the use of the Dead; saving to his Wife and Children their reasonable parts.

XIX. Purveyance for a Castle. NO Constable, nor his Bailiff, shall take Corn or other Chattels of any man, if the man be not of the town where the Castle is, but he shall forthwith pay for the same, unless that the will of the seller was to respite the Payment: And if he be of the same town, the Price shall be paid unto him within forty days.

XX. Castle Ward. NO Constable shall distrain any Knight for to give Money for keeping of his Castle, if he himself will do it in his proper person, or cause it to be done by another sufficient man, if he may not do it himself, for a reasonable cause. And if we do [lead or send him in an army,[8]] he shall be [free from Castle Ward for the time that he shall be with us in fee in our host,[9]] for the which he hath done service in our wars.

XXI. Purveyance for Carriage. NO Sheriff nor Bailiff of ours, or any other, shall take the Horses or Carts of any man to make carriage, except he pay the old price limited; that is to say, for [carriage[10]] with two horse, x d. a day, for ([11]) three horse, xiv d. a day. No Demesne Cart of any Spiritual Person or Knight, or any [Lord,[12]] shall be taken by our Bailiffs. Nor We, nor our Bailiffs, nor any other, shall take any man's Wood for our Castles, or other our necessaries to be done, but by the Licence of him whose the Wood is.

XXII. Lands of Felons. WE will not hold the Lands of them that be convict of Felony but one year and one day, and then those Lands shall be delivered to the Lords of the Fee.

[1] Justicers [2] *Countenance*
[3] *over Rivers* [4] *Rivers* [5] *Lay-Fee*
[6] *there be paid unto Us the Debt which shall have been proved;*
[7] *by him* [8] take or send him to our wars
[9] for the time that he shall be with us in our host, free from Castleward, for the Fee, [10] *a Cart*
[11] *a Cart with* [12] *Lady*

ꝑdcas; & illa que in illo adventu suo in Comitatus, p Justic̃ nr̃os ꝑdcos, ad dc̃as assisas capiendas missos, ꝯminari non possūt, p eosdem ꝯminent' alibi in iust̃e suo; & ea que p eosdē ppt̃ difficultatē aliquoꝝ articuloꝝ, ꝯminari nō possūt, referant' ad Justic̃ nr̃os de Banco, & ibi ꝯminent'. Assise de ultima ꝑsentac̃oe, semp capiant' coram Justiciar̃ de Banco, & ibi ꝯminent'.

Liber Homo non amc̃iet' p pvo delicto, nisi sc̃dm modū ip̃ius delicti, & p magno delicto sc̃dm magnitudinē delicti, salvo contenemento suo; & m̃cator eodem modo, salva mercandisa sua; & villan9 alt̃ius q'm nost̃ eodem modo amc̃iet' salvo Wanagio suo, si inciderit in m̃iam nr̃am. Et nulla ꝑdcaꝝ m̃iaꝝ ponatur nisi p sacr'm̄ ꝑboꝝ & leḡ h̃oim, de visū. Comites & Barones nō amc̃ient' nisi p pares suos, & non nisi sc̃dm modū delicti. Nulla eccl̃iastica psona amc̃iet' sc̃dm quantitatē beneficii sui eccl̃iastici, set sc̃dm laicū teñ suū, & sc̃dm quantitatē delicti.

Nec villa, nec [Liber[1]] homo distringat' fac̃e pontes ad riparias, nisi qui ab antiquo, & de jure fac̃e debent.

Nulle riparie defendant' decet̃o, nisi ille que fuunt in defenso, tempore H. Reḡ avi nr̃i, p eadem loca & eosdem ꝯminos, sicut esse consueverūt tempe suo.

Nullus Vicecomes, Constabular̃, Coronator, vel alii Ballli nr̃i, teneant ꝑlita corone nr̃e.

Si aliquis tenēs de nob̃ laicum feodū moriat', & Vicecomes vt̃ Ballis nr̃, ostendat litt̃as nr̃as patentes de sūmonic̃oe nr̃a de debito, quod defunctus nob̃ debuit, liceat Vicecomiti, vt̃ Ballio nr̃o, attachiare et imb̃riare om̃ia bona & catalla defuncti, inventa in laico feodo, ad valenciam illius debiti p visum legaliū hominū: Ita t̃ū qd̃ nichil inde amoveat' donec psolvat' nob̃ debitū, quod clarū fuit; & residuū relinq'tur executoribꝫ ad faciend̃ testamentū defuncti; & si nichil nob̃ debeat' ab ip̃o, om̃ia catalla cedant defuncto; salvis uxi ejus, & p̃is ip̃ius rōnabilibꝫ ꝑtibꝫ suis.

Nullus Constabularius vel ejus ballivus, capiat blada, vel alia catalla alicuj9 qui non sit de villa, ubi castrū situm est, nisi statim reddat denarios inde, aut respectum inde h̃e possit de voluntate venditoris: Si autem de ip̃a villa fuit, infra quadraginta dies preciū reddat.

Nullus Constabularius distringat aliquem militem, ad dand̃ denar̃ p custodia castri, si ip̃e eam fac̃e voluerit in ꝑpria ꝑsona sua, vt̃ p alium ꝑbū hominē [fac̃[2]] si ip̃e eam fac̃e non possit, ppt̃ racionabilem causam. Et si nos adduxerimus, vt̃ miserim9 eū in exc̃citum, sit quietus de custodia sc̃dm q'ntitatem tempis, quo p nos fuerit in excercitu, de feodo, p quo fecit s̃viciū in exc̃citu.

Nullus Vic̃ vt̃ ballis nr̃, vel aliquis alius capiat equos vt̃ carettas alicujus, p cariagio faciendo, nisi reddat lib̃ac̃oem [antiquitit9[3]] statutam; sc̃it p una caretta, ad duos equos decem denar̃ p diem, & p caretta ad tres equos quatuordecim denar̃ p diem. Nulla caretta dn̄ica alicuj9 eccl̃iastice psone vt̃ Militis, vt̃ alicuj9 [domine,[4]] p ballios nr̃os capiat'. Nec nos, nec Ballli nr̃i, nec alii, capiem9 boscum alienū, ad castra, vt̃ ad alia agenda nr̃a, nisi p volūtatē illius, cuj9 boscus ille fuit.

Nos nō tenebim9 ꝯras illoꝝ, qui cōvicti fuint de felonia, nisi p unū annū & unū diem, & tūc reddant' terre ille dn̄is feodoꝝ.

[1] Interlined on the Roll.—*L.* omits.
[2] faciat *L.* [3] antiquit9 *L.*
[4] { domini *Old Printed Copies.*
{ See Magna Carta 36 Hen. III. note 5. in pa. 30, of the Charters in this Volume.—Note *a* in pa. 53, of the Quarto Edition of Blackstone's Charters, giving 'domini' as a Reading, on the Authorities quoted, is erroneous.

Oẽs Kidelli deponant' decet̃o penit⁹ ꝑ Tamisiam & Medeweyam, & ꝑ totam Angł, nisi ꝑ costeram maris.

Bŕe quod vocat' Precipe, decet̃o nō fiat alicui de aliquo libero tenemento, unde lib̃ homo pdat Cur̃ suam.

Una Mensura vini sit ꝑ totū regnū nr̃m, & una mensura ꝟisie, & una mensura bladi, scilt quarter̃ Londoñ; & una latitudo pannoꝝ tinctoꝝ, russetoꝝ, & haubergettoꝝ scilt due ulne infra listas. De ponderibꝫ vero sit, sicut de mensuris.

Nichil decet̃o detur ꝑ bŕi inquisic̃ois ab eo, qui inquisic̃oem petit de vita, vel de membris, set gratis concedat', & non neget'.

Si aliqui teneant de nob̃ ꝑ feodi firmam, vel ꝑ socagiū, vel burgagiū, & de alio teneant ꝟram, ꝑ ꝟiciū militar̃, nos nō habebim⁹ custodiam heredis nec terre sue, que est de feodo alt̃ius, occ'one illius feodi firme, vł socagii, vł burgagii; nec ħebim⁹ custodiam illius feodi firme, vł socagii, vel Burgagii, nisi ipa feodi firma debeat ꝟiciū militare. Nos non ħebimus custodiam heredis, vel alicujus terre quā tenet de aliquo alio ꝑ ꝟiciū militare, occ'one alicuj⁹ ꝑve serjantie, quam tenet de nob̃ ꝑ ꝟiciū reddendi nob̃ cultellos, vel sagittas, vel hujusmodi. Nullus Bałs decet̃o ponat aliquem ad legem manifestam, nec ad juramentū, simplici loquela sua, sine testibꝫ fidelibꝫ ad hoc inductis.

Nullus liber homo capiatur vel imprisonet', aut disseisiatur de lib̃o ten̄ suo, vel libertatibꝫ, vł lib̃is consuetudinibꝫ suis, aut utlaget' aut exulet aut aliquo modo destruatur, nec sup eum ibimus, nec sup eū mittem⁹, nisi ꝑ legale judiciū ꝑiū suoꝝ, vel ꝑ legem terre. Nulli vendem⁹, nulli negabim⁹, aut differem⁹ rectum vel justiciam.

Oẽs mercatores, nisi publice antea ꝓhibiti fuint ħeant salvū & securū conductum exire de Angł, & venire in Angł, & morari & ire ꝑ Angł tam ꝑ terram, q'm ꝑ aquam, ad emend & vendend, sine oẽibꝫ toltis malis, ꝑ antiquas & rectas consuetudines, ꝓt q'm in tempe guerre; & si sint de terra cont' nos guerrina, & tales inveniant' in ꝟra nr̃a in p'ncipio guerre, attachient' sine dāpno corpoꝝ vel reꝝ, donec sciatur a nob̃ vel a capitali Justic̃ nr̃o, quomodo ꝛcatores ꝟre nr̃e tractent', qui tunc invc̃iunt' in terra illa cont' nos guerrina, & si nr̃i salvi sint ibi, alii salvi sint in ꝟra nr̃a.

Si quis tenuit de aliq' escaeta sicut de honore Wallingford, Bolonie, Nottingh̃, Lancastr̃, vł aliis escaetis, que sūt in manu nr̃a, & sint Baronie, & obierit, heres ejus nō det aliud releviū, nec faciat nob̃ aliud ꝟiciū, q'm facet Baroni, si illa esset in manu Baronis; & nos eodē modo eam tenebimus quo Baro eam tenuit. Nec nos occ'one tal Baronie, vel escaete, ħebimus aliquam escaetam, vł custodiam aliquoꝝ nr̃oꝝ hōim, nisi de nob̃ alibi tenuerit, in capite, ille qui tenuit baroniam vł escaetam.

Nullus lib̃ homo det decet̃o amplius alicui, vel vendat de terra sua, q'm ut de residuo terre sue, sufficient̃ possit fieri, dño feodi, ꝟiciū ei debitum quod ꝑtinet ad feodū illud. Oẽs patroni Abbathiaꝝ qui ħent cartas regum Angł de advocatione, vł antiquam tenuram, vł possessionem, ħeant eaꝝ custodiā cum vacaꝟint, sicut ħre debent, & sicut supius declaratum est.

M. 39.

ALL Wears from henceforth shall be utterly put down by Thames and Medway, and through all England, but only by the Sea-coasts. XXIII. Wears.

THE Writ that is called Præcipe [in capite] shall be from henceforth granted to no person of any Freehold, whereby any Freeman may lose his Court. XXIV. Writ of Præcipe.

ONE Measure of Wine shall be through our Realm, and one Measure of Ale, and one Measure of Corn, that is to say, the Quarter of London; and one Breadth of dyed Cloth, Russets, and Haberjects, that is to say, Two Yards within the Lists. And it shall be of Weights as it is of Measures. XXV. Measures, and Weights.

NOTHING from henceforth shall be given for a Writ of Inquisition, [nor taken of him [1]] that prayeth Inquisition of Life or of Member, but it shall be granted freely, and not denied. XXVI. Criminal Writs.

IF any do hold of Us by Fee-ferm, or by Socage or Burgage, and he holdeth Lands of another by Knights Service, We will not have the Custody of his Heir, nor of his Land, which is holden of the Fee of another, by reason of that Fee ferm, Socage, or Burgage; neither will We have the Custody of such Fee-ferm, or Socage, or Burgage, except Knights Service be due unto Us out of the same Fee-ferm. [We will not have the Custody of the Heir, or of any Land by occasion of any Petit Serjeanty, that any man holdeth of Us by Service to pay a knife, an arrow, or the like.[2]] XXVII. Where the King shall not have Wardship.

NO Bailiff from henceforth shall put any man to his open Law, nor to an Oath, upon his own bare saying, without faithful Witnesses brought in for the same. XXVIII. Wager of Law.

NO Freeman shall be taken or imprisoned, or be disseised of his Freehold, or Liberties, or free Customs, or be outlawed, or exiled, or any other wise destroyed; nor will We not pass upon him, nor [condemn him,[3]] but by lawful judgment of his Peers, or by the Law of the Land. We will sell to no man, we will not deny or defer to any man either Justice or Right. XXIX. Imprisonment, &c. contrary to Law. Administration of Justice.

ALL Merchants, if they were not openly prohibited before, shall have their safe and sure Conduct to depart out of England, to come into England, to tarry in, and go through England, as well by land as by water, to buy and sell without any manner of [evil tolts [4]] by the old and rightful Customs, except in time of War; and if they be of a Land making War against Us, and be found in our Realm at the beginning of the Wars, they shall be attached without harm of body or goods, until it be known unto Us, or our Chief Justice, how our Merchants be entreated [there in [5]] the Land making war against Us; and if our Merchants be well intreated there, theirs shall be likewise with Us. XXX. Foreign Merchants.

IF any man hold of any Escheat, as of the Honour of Wallingford, Nottingham, Boloin, (°) or of any other Escheats which be in our hands, and are Baronies, and die, his Heir shall give none other Relief, nor do none other Service to Us, than he should to the Baron, if it were in the Baron's hand; and We in the same wise shall hold it as the Baron held it. Neither shall We have, by occasion of any (7) Barony or Escheat, any Escheat or keeping of any of our men, unless he that held the Barony or Escheat otherwise held of Us in Chief. XXXI. Baronies escheated to the King. Wardship therein.

NO Freeman from henceforth shall give or sell any more of his Land, but so that of the Residue of the Lands, the Lord of the Fee may have the Service due to him which belongeth to the Fee. XXXII. Alienation.

ALL Patrons of Abbies which have the King's Charters of England of Advowson, or have old tenure or possession in the same, shall have the Custody of them when they fall void, as it hath been accustomed, and as it is afore declared. XXXIII. Custody of vacant Abbies.

[1] *by him*

[2] Nor We shall not have the Custody of the Heir, or of any Land which he holdeth of any other by Knights Service, by occasion of any Petite Sergeantie that he holdeth of Us by Service to pay to Us knives, arrows, or other like.

[3] deal with him,

[4] evil tolles

[5] *who are then found in*

[6] *Lancaster*

[7] such

XXXIV. Appeal of Death by a Woman.

NO Man shall be taken or imprisoned upon the Appeal of a Woman, for the death of any other than of her Husband.

XXXV. County Court. Sheriff's Turn. View of Frankpledge.

NO County Court from henceforth shall be holden but from month to month; and where greater Time hath been used, there shall be greater: Nor any Sheriff or his Bailiff shall keep his Turn in the Hundred but twice in the Year, and no where but in due place and accustomed; that is to say, once after Easter, and again after the Feast of Saint Michael. And the View of Frankpledge shall be likewise at the Feast of Saint Michael, without [occasion :[1]] So that every man may have his Liberties which he had or used to have in the time of King Henry our Grandfather, or which he hath purchased since. The View of Frankpledge shall be so done, that our Peace may be kept; and that [the Tything be wholly kept,[2]] as it hath been accustomed; and that the Sheriff [seek no occasions ;[3]] and that he be content with so much as the Sheriff was wont to have for his View-making, in the time of King Henry our Grandfather.

XXXVI. Fraudulent Gifts in Mortmain.

IT shall not be lawful from henceforth to any to give his Lands to any Religious House, [and[4]] to take the same Land again, to hold of the same House: Nor shall it be lawful to any House of Religion ([5]) to take the Lands of any, [and to lease the same[6]] to him of whom [he received it.[7]] If any from henceforth ([5]) give his Lands to any Religious House, and thereupon be convict, the Gift shall be utterly void, and the Land shall accrue to the Lord of the Fee.

XXXVII. Escuage. General Saving. Observance of these Liberties. Subsidy, in respect of this Charter and Charter of the Forest.

ESCUAGE from henceforth shall be taken like as it was wont to be in the time of King Henry our Grandfather. Reserving to all Archbishops, Bishops, Abbots, Priors, Templars, Hospitallers, Earls, Barons, and all Persons, as well Spiritual as Temporal, all their [free Liberties[8]] and free Customs, which they have had in time passed. And all these Customs and Liberties aforesaid, which We have granted to be holden within this our Realm, [as much as appertaineth to Us and our Heirs, we shall observe; and[9]] all Men of this our Realm, as well Spiritual as Temporal, [as much as in them is, shall observe the same against all Persons, in like wise.[10]] And for this our Gift and Grant of these Liberties, and of other contained in our Charter of Liberties of our Forest, the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and other our Subjects, have given unto Us the Fifteenth Part of all their Moveables. And We have granted unto them on the other part, ([11]) that neither We nor

[1] *bindrance*
[2] the Leete be kept whole
[3] *seek not to trouble any;*
[4] Old Translations omit.
[5] so
[6] to deliver the same back
[7] *they were received to be holden.*
[8] Liberties
[9] *on our part, towards our men,*
[10] *shall observe on their part towards their men*
[11] *for Us and our Heirs,*

Nullus capiat' aut imp'sonet' ꝑ appellū femine de morte alt'ius q'm viri sui. Nullus Comitat⁹ deceo teneatur, nisi de mense in mensem, & ubi major ꝑminus esse solebat major sit: Nec aliquis Vic', vl Balli suus, fac' turnum suū p Hundredū, nisi bis in anno, & non nisi in loco debito & consueto; videl't semel post Pasch', & it'um post festum Sci Michis. Et visus de franco plegio, tūc fiat ad illū ꝑminū Sci Michis, sine occ'one: Ita scilt qd quilibet habeat lib'tates suas, quas fuit, vl fre consuevit tēpe H. Regis avi nri, vel quas postea ꝓquisivit. Fiat autem visus de franco plegio sic, videl't, qd pax nra teneat', & qd theothinga teneat' integra, sicut esse consuevit; & qd Vicecomes non querat occ'ones, & qd content⁹ sit de eo quod Vic' fre consuevit de visu suo faciendo tempe H. Reg̃ avi nri. (*a*)

Nec liceat deceo alicui dare ꝑram suam domui religiose, ita qd illam resumat de eadem domo tenendā: Nec liceat alicui domui Religiose, terram alicuj⁹ sic accipe, qd tradat [illam[1]] illi a quo eam recepit tenendam. Si quis autem deceo, ꝑram suam alicui domui religiose sic dederit, & sup hoc convincatur, donū suum penit⁹ casset', & terra illa domino illius feodi incurrat'.

Scutagium deceo capiat', sicut capi consuevit, tempore H. Reg̃ avi nri. Et salve sint Archiepis, Epis, Abbatib⁹, Prioribus, Templar', Hospitelar', Comitib⁹, Baronib⁹, & om̄ib⁹ aliis, tam eccliasticis psonis, q'm seculanb⁹, omnes lib'tates & libe consuetudines, quas prius huerūt. Om̄es autē consuetudines & lib'tates ꝑdictas, quas concessim⁹ in regno nro tenendas, q'ntū ad nos ꝓtinet erga nros, Om̄es de regno nro, tam clici, q'm laici, observēt, q'ntū ad se pertinet, erga suos. Pro hac autē donacione et concessione lib'tatū istaꝝ, & aliaꝝ contentaꝝ in carta nra de lib'tatib⁹ foreste, Archiepi, Epi, Abbes, Priores, Comites, Barones, Milites, libe tenentes, & om̄es de regno nro, dederūt nob quintam decimam ꝑtem om̄iū mobiliū suoꝝ. Concessim⁹ eciam eisdem, p nob & hered nris, qd nec nos, nec heredes

[1] eam *L.*

(*a*) *Ex Rot. Claus.* 18 *Hen. III. m.* 10. *d.*

de Inꝑtacone Clausule ꝟtente in Lib'tatib⁹ qualit' debat intlligi.

¶ Rex Vic' Linc' Salt'. Quia audivimus qd tu & Balli tui & ℔ Balli alioꝝ qui Hundra hūt in Com̄ tuo nō intelligitis qualr Hundr' & Wapentac' tenri debant in Com̄ tuo postq^a concessim⁹ om̄ib⁹ de Regno nro lib'tates contentas in Cartis nris quas inde fecim⁹ dū fuim⁹ infra etatē; Nos eandem cartā nup legi fecim⁹ in ꝑsentia dni Cant' & majoris & sanioris ptis omniū Epoꝝ Comitū & Baronū totius Regni nri ut corā eis & p eos exponet' ℏ clausula ꝟtenta in carta nra de Lib'tatib⁹ videl qd nris Vic' vl Balls faciat Turnū suū p Hundra nisi bis i anno & nō n' loco debito & ꝟsueto videl semel post Pascha & i⁹m p⁹t fest sci Michis ⁊n occ̄one: Ita scilt qd quilib⁹ hat lib'tates suas quas huit & fre ꝟsuevit tpe H. Reg̃ avi nri vl quas postea pquisivit: Unde a multis ibi dcm fuit & testatū qd tpe H. Reg̃ avi nri tam Hundr' & Wapentac' q'm Cur' Magnatū Angl solebant tenri de Quindena in Quindenā: Et licet multū placet nob ꝟmuni utilitati totius Regni & indēpnitati pauꝑum ꝓvidere, tn quia illi duo Turni plene nō sufficiūt ad pacē Regni nri ꝟservandā & ad excessus tam divitib⁹ q'm paupib⁹ illatis corrigendos, que ad Hundra ptinēt, de ꝟmuni ꝟsilio ꝑdci dni Cantuar' & om̄ ꝑdcoꝝ Epoꝝ Comitū & Baronū & alioꝝ ita ꝓvisum est: qd inꝑ ꝑdcos duos Tnos teneant' Hundra & Wapentakia & ecia Cur' Magnatū de tb⁹ septimanis i tres septimanas ubi p'us tenri solent de Quindena in Quindenā. Ita tn qd ad illa Hundr' et Wapentak & Cur' nō fiat ꝟgnalis sūmonicō sic ad Tnos ꝑdcos; set ad Hundra illa Wapentak & Cur' ꝟveniāt ꝟrentes & adversarii sui & illi q' sectas debēt, p quas teneāt' placita & fiant ꝟdicta; nisi Ita sit qd ad Hundra illa & Wapentakia fi debat Inquisicō de placitis Corone, sicut de morte hominis, Thauro invento & huj⁹modi; ad que inquirenda cōveniāt cum ꝑdcis Sectariis q^tuor villate ꝓxime scilt om̄es de illis villis qui necessarii fuint ad inquisitiōes illas faciendas. Et ido t' ꝑcipim⁹ qd ꝑdca Hundra Wapentakia & Cuas tam nras q'm alioꝝ tenri facias deceo ꝺcdm quod ꝑdcm est de trib⁹ septimanis in tres septimanas exceptis ꝑdcis duob⁹ Tnis qui de ceo teneant' ꝺcdm quod p'us tenri solebant. T. R. aꝑ Westm̄ xj. die Oct'.

Entry upon the Close Roll 18 H. III.

See Magna Carta, c. 35.

De interpretatione clausule contente in libertatibus qualiter debeat intelligi

Rex vicecomiti Lincolnensis salutem. Quia audiuimus quod tu et balliui tui et balliui aliorum qui hundrea habent in comitatu tuo non intelligitis qualiter hundrea et wapentacia teneri debeant in comitatu tuo postquam concessimus omnibus de regno nostro libertates contentas in cartis nostris quas inde fecimus dum fuimus infra etatem: nos eandem cartam nuper legi fecimus in presentia domini Cantuariensis et iudiciorum et famosorum partis omnium episcoporum comitum et baronum totius regni nostri ut coram eis a per eos exponeretur hec clausula contenta in carta nostra de libertatibus videlicet quod nullus vicecomes ut balliuus faciat turnum suum per hundrea nisi bis in anno et tunc non loco debito et consueto videlicet semel post Mascha et iterum post festum sancti Michaelis sine occasione. Ita scilicet quod quilibet habeat libertates suas quas habuit et habere consueuit tempore H. Regis Auii nostri ut quas postea perquisiuit. Unde a multis eandem fuit et restatum quod tempore H. Regis Auii nostri tam hundrea et wapentacia quam cura magnatum Angliae solebant teneri de quindena in quindenam.

Et ap. Westm. xi. die Oct.

nr̃i, aliquid pquiremus, p quod lib̃tates in hac carta contente infringant' vel infirment'. Et si ab aliquo contra hoc aliquid pquisitum fuerit, nichil valeat, & p nullo ħeatur. Hiis testib3 dn̄o S. Cantuar̃ Archiep̃o, E. Londoñ Ep̃o, J. Bathoñ Ep̃o, P. Wyntoñ, H. Lincolñ, R. Saz, W. Roff, W. Wygorñ, J. Elien̄, H. Hereforden, R. Cicestr̃, W. Exoñ Epis. Ab̃be Sc̃i Edmundi, Ab̃be Sc̃i Albani, Ab̃be de Bello, Ab̃be Sc̃i Augustini Cantuar̃, Ab̃be de Evesh'm, Ab̃be de Westm̄, Abbate de Burgo Sc̃i Petri, Ab̃be de Reding, Ab̃be de Abyndoñ, Ab̃be de Malmesbur̃, Ab̃be de Wynchecumbe, Ab̃be de Hida, Ab̃be de Certeseye, Ab̃be de Shirburn̄, Ab̃be de Cerne, Ab̃be de [Abbotebir,'] Ab̃be de Middilton, Abbate de Seleby, Abbate de Cirencestr̃, H. de Burgo [Justiciar̃,[2]] H. Comite Cestr̃ & Lincolñ, W. Comite Saz, W. Comite Warren̄, G. de Clare Comite Gloucestr̃ & Hertford, W. de Ferrar̃ Comite Derb̃, W. de Mandevill Comite Esse&, H. le Bygod Comite Norff, W. Comite Albemarlie, H. Comite Hereford, J. Constabular̃ Cestr̃, R. de Ros, R. filio Walt̃i, R. de Vet̃i Ponte, W. de Brueř, R. de Muntefichet, P. filio Herb̃i, W. de Aubeny, F. Gresly, F. de Breus̃, J. de Monemue, J. fit Alani, H. de Mortuo Mari, W. de Bello Campo, W. de Sc̃o Joh̃e, P. de Malo Lacu, Briano de Insula, Thoma de Multoñ, R. de Argenteiñ, G. de Nevill, W. Mauduit, J. de Balun & aliis. Dat̃ apud Westm̄ xj. die Febr̃ anno r̃. n̄. nono.

Nos autem donac̃oes & concessiones p̄dictas ratas ħentes & gratas, eas p nob̃ & Heredib3 nr̃is, concedim⁹ & confirmam⁹, easq; tenore p̄senciū innovam⁹, volentes & concedentes, p nob̃ & heredib3 nr̃is, qd̄ carta p̄dc̃a in om̄ib3 & singlis suis articul̃ imppetuū firmit̃ & inviolabilit̃ observet', eciam si aliqui articuli in eadem carta contenti, hucusq; forsitan non fuerint observati. In cuj⁹ rei testimoñ has litt̃as nr̃as fieri fecim⁹ patentes. T. Edwardo filio nr̃o apud Westm̄, duodecimo die Octob̃r anno r̃. n̄. Vicesimo Quinto.

[1] Abbotesbury *L.* [2] Justic̃ nr̃o *L.*

our Heirs shall procure or do any thing whereby the Liberties in this Charter contained shall be infringed or broken. And if any thing be procured by any person contrary to the premises, it shall be had of no force nor effect. These being Witnesses; Lord [B.'] Archbishop of Canterbury, E. Bishop of London, J. Bishop of Bathe, P. of Winchester, H. of Lincoln, R. of Salisbury, W. of Rochester, W. of Worcester, J. of Ely, H. of Hereford, R. of Chichester, W. of Exeter, Bishops; the Abbot of St. Edmonds, the Abbot of St. Albans, the Abbot of [Bello,[2]] the Abbot of St. Augustine's in Canterbury, the Abbot of Evesham, the Abbot of Westminster, the Abbot of [Bourgh St. Peter,[3]] the Abbot of Reding, the Abbot of Abindon, the Abbot of Malmsbury, the Abbot of Winchcomb, the Abbot of Hyde, the Abbot of Certesey, the Abbot of Sherburn, the Abbot of Cerne, the Abbot of [Abbotebir,[4]] the Abbot of Middleton, the Abbot of Seleby, the Abbot of Cirencester; H. de Burgh [Justice,[5]] H. Earl of Chester and Lincoln, W. Earl of Salisbury, W. Earl of Warren, G. de Clare Earl of Gloucester and [Hereford,[6]] W. de Ferrars Earl of Derby, W. de Mandeville Earl of Essex, H. de Bygod Earl of Norfolk, W. Earl of Albemarle, H. Earl of Hereford, J. Constable of Chester, R. de Ros, R. Fitzwalter, R. de Vyponte, W. de Bruer, R. de Muntefichet, P. Fitzherbert, W. de Aubenie, F. Gresly, F. de Breus, J. de [Monemue,[7]] J. Fitzallen, H. de Mortimer, W. de Beauchamp, W. de St. John, P. de Mauly, Brian de Lisle, Thomas de Multon, R. de Argenteyn, G. de Nevil, W. de Mauduit, J. de Balun, and others. ([8]).

We, Ratifying and approving these Gifts and Grants aforesaid, confirm and make strong all the same for Us and our Heirs perpetually, and by the Tenor of these Presents do renew the same: Willing and granting for Us and our Heirs, that [this Charter and[9]] all and singular his Articles for ever shall be stedfastly, firmly, and inviolably observed; [and if[10]] any Article in the same Charter contained yet hitherto peradventure hath not been kept [We will and by authority royal command from henceforth firmly they be observed[11]].

In Witness whereof We have caused these our Letters Patents to be made. [T. Edward our son at Westminster, the twenty-eighth day of March in the twenty eighth year of our Reign.[12]]

[1] *S.*
[2] *Battel* [3] *Peterborough* [4] *Abbotsbury*
[5] *Chief Justicer* [6] *Hertford* [7] *Monmouth*
[8] *Given at Westminster the eleventh day of February in the ninth year of our Reign.*
[9] *the Charter aforesaid in* [10] *even although*
[11] Not in Original.
[12] The Old Translations read
These Reverend Fathers being Witnesses; R. Archbishop of Canterbury Primate of England, A. Bishop of Duresme, and other; Given at Westminster, with our own hand, the twenty-eighth day of the month of March, the twenty-eighth year of our reign.
This agrees with the Old Printed Copies of the Latin Text: But read
Witness Edward our Son at Westminster, the Twelfth day of October in the Twenty-fifth Year of our Reign.

EDWARD by the Grace of God, King of England, Lord of Ireland, and Duke of Guyan, To All to whom these Presents shall come, sendeth Greeting: We have seen the Charter of the Lord Henry our Father, sometime King of England, concerning the Forest in these words. HENRY, by the Grace of God, King of England, Lord of Ireland, Duke of Normandy and Guyan, [and Earl of Anjou, to all Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justicers, Foresters, Sheriffs, Provosts, Officers, and to all his Bailiffs, and faithful Subjects which shall see this present Charter, Greeting. Know Ye, that We, unto the honour of Almighty God, and for the salvation of our soul and the souls of our Ancestors and Successors, to the advancement of Holy Church, and amendment of our Realm, of our mere and free will have given and granted, to all Archbishops, Bishops, Earls, Barons, and to all of this our Realm, these Liberties, following, to be kept in our Kingdom of England for ever.']

I. Afforestations of Henry II. disafforested. FIRST, We will that all Forests, which King Henry our Grandfather afforested, shall be viewed by good and lawful men; and if he have made Forest of any other Wood more than of his own Demesne, whereby the Owner of the Wood hath hurt, forthwith it shall be disafforested; and if he have made Forest of his own Wood, then it shall remain Forest, saving the Common of Herbage, and of other things in the same Forest, to them which before were accustomed to have the same.

II. Restraint of the Summons. MEN that dwell out of the Forest, from henceforth shall not come before the Justicers of our Forest by common Summons, unless they be impleaded there, or be Sureties for some others that were attached for the Forest.

III. Afforestations of Richard I. and John. ALL Woods which have been made Forest by King Richard our Uncle, or by King John our Father, until our first Coronation, shall be forthwith disafforested unless it be our demesne Wood.

IV. Purprestures, Wastes, and Asserts. ALL Archbishops, Bishops, Abbots, Priors, Earls, Barons, Knights, and other our Freeholders which have their Woods in Forests, shall have their Woods as they had them at the (2) first Coronation of King Henry our Grandfather. So that they shall be quit for ever of all Purprestures, Wastes, and Asserts, made in those Woods after that time, until the beginning of the second year of our Coronation. And those that from henceforth do make Purpresture without our Licence, or Waste or Assert in the same, shall answer unto Us for the same Wastes, Purprestures, and Asserts.

V. Range of the Forests. OUR Rangers shall go through the Forest to make Range, as it hath been accustomed at the Time of the first Coronation of King Henry our Grandfather, and not otherwise.

VI. Lawing of Dogs. Amercement. THE Enquiry or View for Lawing of Dogs within our Forest shall be made from henceforth when the Range is made, that is to say, from three year to three year; and then it shall be done by the view and testimony of lawful men, and not otherwise; and he whose Dog is not lawed, and so found, shall pay for his amerciament iij. s.: And from henceforth no Ox shall be taken for Lawing of Dogs. And such Lawing shall be done by the Assise commonly used, that is to say, that three claws of the fore foot shall be cut off [by the skin.'] But from henceforth such Lawing of Dogs shall not [be,4] but in places where it hath been accustomed from the time of the first Coronation of the foresaid King Henry our Grandfather.

VII. Foresters, Collections. Appointment of Foresters. NO Forester or Bedel from henceforth shall make Scotal, or gather garb, or oats, or any corn, lamb, or pig, nor shall make any [Gathering, but5] by the sight and upon the [view6] of the twelve Rangers, when they shall make their [Range. So7] many Foresters shall be assigned to the keeping of the Forests, as reasonably shall seem sufficient for the keeping of the same.

[1] Former Translations read only thus, &c. as in the Beginning of the Great Charter.
[2] time of the
[3] *without the Ball.*
[4] be done
[5] *gathering: and*
[6] oath
[7] *range, so*

*Ex magno Rot. Stat. in Turr. Lond. m. 39.**

(1)DWARDUS dei gra Rex Angł Dominus Hiбn & Dux Aquiť, Omnibȝ ad quos ꝑsentes litꝛe ꝓvenint saltm. Inspeximus cartam dñi H. quondam Reg̃ Angł pris nri de Foresta in hec verba: Henricus dei gra Rex Angł, dñs Hiбn, Dux Normanñ, Aquiť, & Comes Andegavˉ, Archiepis, Epis, Abbatibȝ, Prioribȝ, Comitibȝ, Baronibȝ, Justiciar, Forestar, Vicecomitibȝ, Prepõitis, Ministris, & oĩibȝ Ballis & fidelibȝ suis, ꝑsentem cartam inspectur saltm. Sciat qd nos intuitu dei & ꝓ salute anime nre, & animaꝝ antecessoꝝ, & successoꝝ nroꝝ, ad exaltacõem scꝛe ecclie, & emendacionem regni nri, spontanea & bona voluntate nra, dedim9 & concessim9 Archiepis, Epis, Comitibȝ, Baronibȝ, & oĩibȝ de regno nro, has libtates subscriptas, tenendas in regno nro Angł imppetuũ.

In primis oĩes Foreste, quas Henric9 Rex avus nr afforestavit, videant' ꝓ bonos & legales hões; & si boscũ aliqꝛ aliũ qm suũ dñicũ afforestavit, ad dampnũ illius, cuj9 boscus ille fuit, deafforestet'; & si boscum suũ ꝓpriũ afforestavit, remaneat foresta, salva cõmuna de herbagio, et aliis in eadem foresta, illis, qui prius eam hre consueverũt. Homines vero, qui manẽt extra forestã non veniant decetꝛo coram Justic nris de foresta, ꝓ cõmunes summonicões, nisi sint in plito, vel plegii alicuj9, vt aliquoꝝ qui attachiati sũt ꝓpter forestam.

Oĩes autem bosci, qui [fuerunt2] afforestati, ꝓ Regem Ricm avunculũ nrm, vel ꝓ Regem Johem ꝑem nrm, usq; ad pmã coronacõem nram, statim deafforestent', nisi sit dñicus boscus nost.

Archiepi, Epi, Abbates, Priores, Comites, Barones, Milites, libe tenentes, qui hent boscos suos in forestis, heant boscos suos, sicut eos huerunt tempe pme coronacõis Regis Henrici avi nri. Ita qd quieti sint imppetuum de oĩibȝ [purpresturis,3] vastis, & [assartis4] factis in illis boscis post illud temp9, usq; ad principiũ scdi anni coronacõis nre. Et qui decetero vastum, [purpresturam, vt assartum sine licencia nra, in itt fecint,5] de vastis, [ppresturis,3] et [assartis,4] respondeant.

[Regardatores6] nri eant ꝓ forestas, ad faciendũ regardũ, sicut fieri cõsuevit tempe prime coronacõis Reg̃ Henrici avi nri, & nõ alit.

Inquisicio vt visus de expeditacione canũ existenciũ in foresta, decetꝛo fiat, quando fieri debet regardum, scilt de tcio anno in tciũ annũ, & tũc fiat ꝓ visum & testimoniũ legaliũ hominũ, [& nõ aliter;7] & ille cuj9 canis invent9 fuit tunc nõ expeditatus, det ꝓ misericordia tres solidos: Et decetꝛo nullus bos capiatur ꝓ expeditacione. Tal autem [fiat8] expeditacio p assm comunit [usitatam,9] qd tres ortelli abcindant' sine pelota de pede antiori. Nec expeditent' canes decetꝛo, nisi in locis ubi consuevunt expeditari, tempe prime coronacõis ꝓdci Reg̃ Henrici avi nri.

Nullus Forestarius vel Bedellus decetꝛo faciat scotallas, vel colligat garbas, vel avenam, vel bladũ aliquod, vel agnos, vel [porcellos,10] nec aliquam collectam faciat, & ꝓ visum & sacrm̃ duodecim [regardatoꝝ11] quando facient [regardum. Tot12] forestarii ponant' ad forestas custodiendas, quot ad illas custodiendas rõnabilit viderint suffice.

[1] A Blank for the Letter E.
[2] flint *D.*
[3] ppresturis *D.*
[4] essartis *D.*
[5] vt ꝓsturã sine licencia nra ĩ illis fecit, vt essartũ *D.*
[6] Regardores *D.*
[7] Interlined on the Roll.
[8] sit *D.*
[9] Interlined on the Roll; *D.* omits.
[10] purcellos *D.*
[11] regardoꝝ *D.*
[12] regardũ, tot *D.*

* See Note at the bottom of page 114.—The Various Readings marked *D.* are from the Charter of the Forest 9 Henry III. preserved in Durham Cathedral; See pa. 26, 27, of the Charters of Liberties, preceding the Statutes, in this Volume.

Nullum Swanimotū decet̄o teneatur in regno nr̄o, nisi ter in anno, videl̄t in p̄ncipio quindecim dieꝝ ante festū Sc̄i Mich̄is, quando agistatores nr̄i cōveniūt ad agistand dn̄icos boscos nr̄os; & circa festum Sc̄i Martini, q̄ndo agistatores nr̄i debēt recipe pannagiū nr̄m; & ad ista duo swanimota cōveniant forestarii, viridarii, & agistatores, & [non [1]] alii p̄ districc̄oem; & terciū swanimotū teneat̄ in inicio quindecī dieꝝ ante festū Sc̄i Johannis Bapt̄e, p̄ feonacione bestiaꝝ nr̄aꝝ; & ad illud swanimotū tenendū, conv̄eiant forestarii ([2]) viridarii & non alii p̄ districc̄oem. Pret̄ea singulis quadraginta diebꝫ p̄ totū annū, conveniāt forestarii & viridarii, ad [videnđ [3]] attachiamenta de foresta, tam de viridi, q̄m de venacione p̄ presentac̄oem forestariorꝝ ip̄orꝝ, & coram ip̄is attachiatis. Predicta autem Swanimota non teneant̄ nisi in Comitatibꝫ, in quibꝫ ten̄i consueverūt.

Unusquisq̄ liber homo agistet boscum suum ([4]) in foresta p̄ voluntate sua, & h̄eat pannagiū suū.

Concedim⁹ eciam qđ unusquisq̄ liber homo duc̄e possit porcos suos p̄ dn̄icum boscum nr̄m, libe & sine impedimento, ad agistand eos in boscis suis p̄priis, vel alibi ubi voluerit. Et si porci alicuj⁹ liberi hōis una nocte p̄noctaverint in foresta nr̄a, non inde occ̄onet̄, unde aliquid de suo p̄dat.

Nullus decet̄o amittat vitam vel membra p̄ venacione nr̄a; set si quis captus fuerit, & convictus de capcione venacionis, gravit̄ redimatur, si h̄eat unde redimi possit; si autē non h̄eat unde redimi possit, jaceat in prisona nr̄a p̄ unū annū & unum diem & si post unū annū & unū diem plegios invenire possit, exeat de prisona, sin autē, abjuret regnū Angl.

Quicumq̄ Archiep̄s, Ep̄s, Comes, vel Baro veniens ad nos, ad mandatū nr̄m t̄nsierit p̄ forestam nr̄am, liceat ei cape unam bestiam, vel duas, p̄ visum forestarii si p̄sens fuerit, sin autem, faciat cornari ne videat̄ furtive hoc fac̄e. Idem liceat eis in redeundo fac̄e, sicut p̄dc̄m est.

Unusquisq̄ liber homo decet̄o, sine occ̄one faciat in bosco suo vel in terra sua, quam h̄et in foresta, molendinū, vivariū, stagnū, marleram, fossatum, vel terram arabilē, ext̄a cooptū in t̄ra arabili, ita qđ non sit ad nocumentū alicuj⁹ vicini.

Unusquisq̄ liber homo h̄eat in boscis suis aerias ancipitrū, espvarioꝝ, falconū, aquilaꝝ, & heironū: Habeat similit̄ mel quod inventum fuerit in boscis suis.

Nullus Forestarius decet̄o, qui non sit forestarius de feodo, firmam nob̄ reddens p̄ balliva sua, capiat cheminagiū aliquod in balliva sua: Forestarius autem de feodo, firmam nob̄ reddens p̄ bal̄ia sua, capiat cheminagiū; videl̄t p̄ caretta p̄ dimidiū annū duos denarios, & p̄ alium dimidiū annū duos denarios, ([5]) p̄ equo qui portat sūmagiū p̄ dimidiū annū obolū, & p̄ alium dimidiū annū obolum; & non nisi de illis, qui de extra bal̄iam suam, tanq̄m m̄catores veniūt p̄ licenciam suam in bal̄iam suam, ad buscam, [maeremū,[6]] corticem, vel carbonem emendū, & alias ducendum ad vendendū, ubi voluerint; & de nulla alia caretta, vel summagio aliquo cheminagiū capiatur; et non capiat̄ cheminagiū nisi in locis in quibꝫ antiquit⁹ capi solebat & debuit. Illi autem qui portant sup̄ dorsum suū, buscam, corticem, vel carbonem, ad vendend, q̄mvis inde vivant, nullum decet̄o dent cheminagiū ([7]).

Omnes Utlagati p̄ foresta tantū, a tempe Reḡ Henrici avi nr̄i, usq̄ ad p̄mam coronac̄oem nr̄am, veniant ad pacem nr̄am sine impedimento; & salvos plegios inveniant, qđ non decet̄o forisfacient nob̄ de foresta nr̄a.

[1] nt̄li *D.* [2] & *D.* [3] faciendū *D.*
[4] quē h̄t *D.* [5] & *D.* [6] meremiū *D.*
[7] forestariis nostris, preterquam in dominicis boscis nostris. *Old Printed Copies.*

NO Swanimote from henceforth shall be kept within this our Realm, but thrice in the year; videlicet, the beginning of fifteen days afore Michaelmas, when that our Gest-takers, or Walkers of our Woods come together to take Agestment in our demesne Woods; and about the Feast of St. Martin [in the winter,] when that our Gest-takers shall receive our pawnage: And to these two Swanimotes shall come together our Foresters, Vierders, Gest-takers, and none other, by distress; and the third Swanimote shall be kept in the beginning of fifteen days before the Feast of St. John Baptist, [when that our Gest-takers do meet to hunt our deer;[1]] and at this Swanimote shall meet our Foresters, Vierders, and none other, by distress. Moreover, every forty days through the year our Foresters and Vierders shall meet to see the Attachments of the Forest, as well for Greenhue, as for Hunting, by the Presentment of the same Foresters, and before them attached. And the said Swanimotes shall not be kept but within the Counties in which they have used to be kept.

VIII. Swanimotes. Michaelmas. Martinmas. Midsummer. Court of Attachments.

EVERY Freeman may agest his own Wood within our Forest at his pleasure, and shall take his Pawnage. Also We do grant, that every Freeman may drive his Swine freely without impediment through our demesne Woods, for to agest them in their own Woods, or else where they will. And if the Swine of any Freeman lie one night within our Forest, there shall be no occasion taken thereof, whereby he may lose any thing of his own.

IX. Agistments and Pawnage.

NO Man from henceforth shall lose either life or member for [killing[2]] of our Deer; but if any man be taken and convict for taking of our Venison, he shall make a grievous fine, if he have any thing whereof; and if he have nothing to lose, he shall be imprisoned a Year and a Day: and after the Year and Day expired, if he can find sufficient Sureties, he shall be delivered; and if not, he shall abjure the Realm of England.

X. Deer-stealers.

WHATSOEVER Archbishop, Bishop, Earl, or Baron, coming to Us at our commandment, [passing by[3]] our Forest, it shall be lawful for him to take and kill one or two of our Deer, by view of our Forester, if he be present; or else he shall cause one to blow an horn for him, that he seem not to steal our Deer. And likewise they shall do returning from Us, as it is aforesaid.

XI. What Deer Noblemen may take

EVERY Freeman from henceforth, without [danger,[4]] shall make in his own Wood, or in his Land, [or in his Water,[5]] which he hath within our Forest, [mills, springs, pools, marlpits, dykes,[6]] or earable ground, [without inclosing that earable ground,[7]] so that it be not to the annoyance of any of his Neighbours.

XII. Land, &c. of Freemen in the Forest.

EVERY Freeman shall have, within his own Woods, Ayries of Hawks, Sparrow-hawks, Faulcons, Eagles, and Herons: and shall have also the Honey that is found within his Woods.

XIII. Ayries of Hawks, &c. Honey.

NO Forester from henceforth, which is not Forester in Fee, paying to us ferm for his Bailiwick, shall take any Chimmage or Toll within his Bailiwick; but a Forester in fee, paying us ferm for his Bailiwick, shall take Chimmage; that is to say, for carriage by Cart the half-year ij. d. and for another half-year ij. d. for an horse that beareth loads, every half-year, an half-peny, and by another half-year half a peny; and but of those only that come as Merchants [through his bailiwick[8]] by licence to buy bushes, timber, bark, coal, and ([9]) to sell it again at their pleasure; but for none other Carriage by Cart ([10]) Chimmage shall be taken; nor Chimmage shall not be taken, but in such places only where it ([11]) hath been used to be ([12]). Those which bear upon their backs brushment, bark, or coal to sell, though it be their living, shall ([13]) pay no Chimmage [to our Foresters, except they take it within our demesne Woods.[14]]

XIV. Chyminage. Amount thereof. From whom. Exemptions.

ALL that be Outlawed for the Forest only, since the time of King Henry our Grandfather, until our first Coronation, shall come to our peace without let: and shall find to Us, Sureties, that from henceforth they shall not trespass unto Us within our Forest.

XV. Pardon of Outlaws.

[1] *for the fawning of our Does,* [2] *hunting*
[3] *passeth through* [4] *hindrance* [5] Not in Original.
[6] *a Mill, Vivary, Pool, Marl-pit or Ditch,*
[7] *without the Covert, in the earable Land,*
[8] *into his Bailiwick from without the same,* [9] *to draw it elsewhere*
[10] *or load* [11] *ought and* [12] *of old time* [13] *henceforth*
[14] See the Charter of the Forest 2 Hen. III., pa 21, line 23, of the Charters of Liberties, preceding the Statutes. in this Volume.

XVI. Pleas of the Forest.

NO Constable, Castellan, or Bailiff shall hold Plea of Forest, neither for greenhue nor hunting; but every Forester in fee shall make Attachments for [Pleas [1]] of Forest, as well for greenhue as hunting, and shall present them to the Vierders of the Provinces; and when they be enrolled and enclosed under the seals of the Vierders, they shall be presented to our chief [Justicers [2]] of our Forest, when [they [2]] shall come into those parts to hold the Pleas of the Forest, and before [them [2]] they shall be determined. And these Liberties [of the Forest [3]] we have granted to all men; Saving to ([4]) Archbishops, Bishops, Abbots, Priors, Earls, Barons, Knights, and to ([4]) other persons, as well Spiritual as Temporal, Templers, ([5]) Hospitallers, their Liberties and free Customs, as well within the Forest as without, and in Warrens and other places, which they ([6]) have had.

General Saving.

Observance of these Liberties.

[And all these Customs and Liberties aforesaid, which We have granted to be holden within this our Realm, on our part towards our men, all men of this our Realm, as well Spiritual as Temporal, shall observe on their part towards their men. And for this our Gift and Grant of these Liberties and of the other Liberties contained in our Great Charter of other Liberties, the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and other our Subjects have given unto Us the fifteenth part of all their Moveables.[7]]

Subsidy in respect of this Charter and the Great Charter.

[And We have granted unto them, for Us and our Heirs, that neither We nor our Heirs shall procure or do any thing whereby the Liberties in this Charter contained shall be infringed or broken. And if any thing be procured by any person contrary to the premises, it shall be had of no force nor effect. These being Witnesses, Lord S. Archbishop of Canterbury, E. Bishop of London, J. of Bath, P. of Winchester, H. of Lincoln, R. of Salisbury, B. of Rochester, W. of Worcester, J. of Ely, H. of Hereford, R. of Chichester, W. of Exeter, Bishops; the Abbot of St. Edmunds, the Abbot of St. Alban's, the Abbot of Battel, the Abbot of St. Augustine's in Canterbury, the Abbot of Evesham, the Abbot of Westminster, the Abbot of Peterborough, the Abbot of Reading, the Abbot of Abyndon, the Abbot of Malmesbury, the Abbot of Wynchecumbe, the Abbot of Hyde, the Abbot of Chertsey, the Abbot of Shireburn, the Abbot of Cerne, the Abbot of Abbotsbury, the Abbot of Middleton, the Abbot of Seleby, the Abbot of Whyteby, the Abbot of Cirencester, H. de Burg Chief Justicer, R. Earl of Chester and Lincoln, W. Earl of Salisbury, W. Earl of Warren, G. de Clare Earl of Gloucester and Hertford, W. de Ferrers Earl of Derby, W. de Mandevill Earl of Essex, H. le Bygod Earl of Norfolk, W. Earl of Albemarle, H. Earl of Hereford, John Constable of Chester, Robert de Ros, Robert Fitzwalter, Robert de Vyponte, William Bygwere, Richard de Montfichet, Peter Fitzherbert, Matthew Fitzherbert, William de Aubeny, Robert Gresly, Reginald de Breus, John de Monmouth, John Fitzalan, Hugh Mortimer, Walter Beauchamp, William Saint John, Peter de Mauly, Brian de Lisle, Thomas de Multon, Richard de Argenteyn, Geoffrey Nevill, William de Maudut, and John de Balun and others. Given at Westminster the eleventh day of February in the ninth year of our Reign.

WE, Ratifying and approving the Gifts and Grants aforesaid, do grant and confirm the same for Us and our Heirs, and by the tenor of these Presents, do renew the same: Willing and granting for Us and our Heirs, that the Charter aforesaid in all and singular its Articles for ever shall be firmly and inviolably observed; even although any Article in the same Charter contained, yet hitherto peradventure hath not been kept. In Witness whereof We have caused these our Letters Patents to be made. Witness Edward our Son at Westminster the Twelfth day of October in the Twenty-fifth Year of our Reign.[8]]

[1] plea.
[2] *Justicer—he—him*
[3] of Forest
[4] all
[5] *and*
[6] before

[7] Former Translations read only thus:
All these Liberties and Customs We, &c. as it followeth in the End of the Great Charter.

[8] Former Translations read only thus:
And We do confirm and ratifie these Gifts, &c. as in the end of the Great Charter specified, &c.

Nullus [Constabulari[9 1]] Castellanus [vł alius[2]] teneat ꝑlita de foresta, sive de viridi, sive de venacione; set quilibet forestarius de feodo attachiet ꝑlita de foresta, tam de viridi q[a]m de venacione, & ea ꝓsentet viridariis ꝓvinciaꝝ; & cum inrotulata fuerint, & sub [sigillo[3]] viridariorꝝ inclusa, presentēt[r] capitali forestario nr̄o cum in ꝑtes illas venīt ad tenendū ꝑlita foreste, & coram eo terminentur. Has autem libertates de forestis [cōcess - -[4]] om̄ib3, salvis Archiep̄is, Ep̄is, Abbatib3, Prioribꝫ, Comitib3, Baronib3, Militib3, & aliis, tam ꝓsonis eccl̄iasticis, q[a]m seculariby, Templariis, & [Hospitelariis,[5]] libertatib3, & liberis consuetudinib3, in forestis & extra, in Warennis, & aliis, quas prius habuerunt. Om̄es autem istas consuetudines ꝓdictas, & libertates, quas concessimus in regno nr̄o tenendas, quantum ad nos ꝑtinet erga nostros, Om̄es de regno nr̄o, [tam clici q[a]m laici,[6]] observent quantum ad se ꝑtinet, erga suos. Pro hac [autem[7]] concessione & donacione lib̄tatū istaꝝ, & aliaꝝ lib̄tatum contentaꝝ in majori carta nr̄a de aliis libertatib3, Archiep̄i, Ep̄i, Abbates, Priores, Comites, Barones, Milites, libere tenentes, & omnes de regno nr̄o, dederunt nob̄ quintam decimam ꝑtem om̄ium mobiliū suoꝝ. Concessimus ([8]) eisdem ꝓ nob̄ & heredib3 nr̄is, qd̄ nec nos, nec heredes nr̄i, aliquid ꝓquiremus, ꝓ quod libertates, in hac carta contente infringant[r], vel infirment[r]. Et si ab aliquo, aliquid cont[a] hoc ꝓquisitū fuerit, nichil valeat, & ꝓ nullo ħeatur. Hiis Testib3: domino S. Cantuar̄ Archiep̄o, E. Londōn̄ [Ep̄o[9]] J. Bathoñ, P. Wyntoñ, H. Lincolnien̄, R. Saꝝ, B. Roff, W. Wygorn̄, J. Elien̄, H. Herefordeñ, R. Cicestren̄, W. Exoñ, Ep̄is. Ab̄be Sc̄i Edm̄ii, Abbate Sc̄i Albani, Abbate de Bello, Ab̄be Sc̄i Augustini Cantuar̄, Ab̄be de Evesh[a]m, Ab̄be de Westm̄, Abbate de Burgo Sc̄i Petri, Abbate de Reding, Ab̄be de Abyndon̄, Abbate de Malmesbur̄, Abbate de Wynchecumbe, Abbate de Hida, Abbate de Certeseye, Abbate de Shireburn̄, Abbate de Cerne, Abbate de Abbotesbir̄, Abbate de Middelton, Abbate de Seleby, Abbate de Whyteby, Abbate de Cirencestr̄. H. de Burgo Justiciar̄, R. Comite Cestr̄ & Lincoln̄, W. Comite Saꝝ, W. Comite Warenn̄, G. de Clare Comite Gloucestr̄ & Hertford̄, W. de Ferrar̄ Comite Derb̄, W. de Maundevill Comite Essex̄, H. le Bygod Comite Norff, W. Comite Aubemarl̄, H. Comite Hereford, Johanne Constabulario Cestr̄, Rob̄to de Ros, Rob̄o filio Walt̄i, Rob̄o de Veteri Ponte, Will̄o Bygwer̄, Ric̄o de Muntfichet, Petro filio Herb̄ti, Matheo filio Herb̄ti, Will̄o de Albiniaco, Rob̄to Gresl, Reginaldo de Breus, Johanne de Monemue, Johanne filio Alani, Hugone de Mortuo Mari, Walt̄o de Bello Campo, Will̄o de Sc̄o Johanne, Petro de Malo Lacu, Briano de Insula, Thoma de Multon̄, Ric̄o de Argenteym, Galfrido de Nevill, Will̄mo Maudut & Joh̄e de Balun, [& aliis.[9]] Dat̄ apud Westm̄, undecimo die Febr̄ anno r̄. n̄. nono.

Nos autem donaciones & concessiones ꝓdictas ratas ħentes & gratas, eas ꝓ nobis & heredib3 nr̄is concedim[9] & confirmamus, easq; tenore ꝓsenciū innovam[9]: Volentes & concedentes, ꝓ nobis & heredib3 nr̄is, qd̄ carta ꝓdicta in om̄ib3 & singul̄ suis articulis imppetuū firmiter & inviolabilit̄ observetur; eciam si aliqui articuli in eadem carta contenti hucusq; forsitan non fuerint observati. In cujus rei testimoniū has lit̄as nostras fieri fecimus patentes. Teste Edwardo filio nr̄o, apud Westm̄, duodecimo die Octobris, anno r̄. n̄. vicesimo quinto.

[1] Interlined on the Roll.—*D.* omits.
[2] *D.* omits.
[3] sigillis *D.*
[4] cōcessim[9] *D.*
[5] Hospitalariis *D.*
[6] *D.* omits.
[7] ig[r] *D.*
[8] eciam *D.*
[9] *D.* omits.

M. 8.

Ex magno Rot. Stat. in Turr. Lond. m. 38.

(1) DWARD par la grace de dieu, Roy Dengleterre Seignur Dirland, & Ducs Daquitaine a toutz ceus qui cestes p̄sentes lettres verront ou orront saluz. Sachiez nous al honeur de dieu, & de seinte eglise & au p̄fit de tut nr̄e Roiaume, aver grante, pur no⁹ e p⁹ nos heirs, qe la grand chartre des franchises & la chartre de la Forest les queles furent faites p̄ cōmun assent de tut le Roiaume, en tens le Rey Henry nr̄e pere, seient tenuz en toutz leur pointz, sanz nul blemisement. E voloms qe meismes celes chartres de suth nr̄e seal, seient envoiez a nos Justices, ausibien de la forest, come as autres, e a toutz les Viscontes des Contez, & a toutz nos autres ministres, & a totes nos citees p̄ mi la terre, ensemblemēt ove nos briefs, en les queux s̄ra contenu qil facent les avantdites chartres pupplier, e qil facent dire au poeple qe no⁹ les avoms grauntees de tenir les en toutz leur pointz; E a nos Justices, Viscontes, Maires e autres ministres, qi la ley de la terre de south nous, & p̄ no⁹, ount a guier, meismes les chartres en toutz leur pointz, en plez devaunt eus, e en Jugementz les facent alower, cest asavoir la g[a]nd chartre des franchises come ley cōmune e la chartre de la forest solom lassise de la forest, al amendement de nr̄e poeple.

E voloms q̄ si nuls jugementz soient donez desoremes, encontre les pointz des chartres avantdites, p̄ Justices & p̄ autres nos ministres, qui contre les pointz des chartres tenent plez devant eus, seient defaitz e p⁹ nient tenuz. E voloms qe mesmes celes chartres de suth nr̄e seal seient envoiez as eglises cathedrales, parmi nr̄e Roiaume & la demorgent. E seient deufoitz p̄ an lues devant le poeple. E qe Ercevesques & Evesques doignent sentences du g[a]nt escomeng̃, contre toutz ceus qui contre les avantdites chartres vendront, en fait, ou en ayde, ou en conseil, ou nul point enfreindront, ou encontre vendront. E q̄ celes sentences seiēt denuncies e pupplies deufoitz par an p̄ les avantditz prelatz. E si mesmes les prelatz Evesques, ou nul de eus, seient negligentz en la denunciacion susdite faire, p̄ les Ercevesques de Canterbire & de Everwyk, qui pur tens serront, sicome covient, soient repris, & destreinz a mesme cele denunciacion faire en la fourme avauntdite. E pur ceo qe aucunes gentz de nr̄e Roiaume se doutent qe les aides, e les mises, les queles il no⁹ ount fait avant ces oures, pur nos guerres & autres bosoignes, de leur g[a]nt, e leur bone volunte, en quele manere qe faitz seient, pussent turner en s̄vage a eus, e a leur heirs, p̄ ce qil serroient autrefoitz trovez en roule, e ausi prises qe ont este faites par mi le Roiaume p̄ nos ministres, en nr̄e noun, avoms g[a]nte pur nous, & pur nos heirs, qe mes tieles aides, mises, ne prises, ne treroms a custume, pur nule chose qe soit fait, ou qe par roule ou en autre maniere peust estre trove.

E ausi avoms g[a]nte p⁹ nous e p⁹ nos heirs as Ercevesques, Evesq̃s, Abbes, e Priurs, e as autres gentz de seinte eglise, & as Contes & Barons, & a tote la cōmunaute de la terre, q̄ mes pur nule busoigne tieu manere des aides, mises, ne prises, de nr̄e roiaume ne prendroms, fors q̄ p̄ cōmun assent de tut le Roiaume, & a cōmun p̄fit de meisme le Roiaume, sauve les auncienes aides, & prises, dues & custumees.

[1] A Blank for the letter E.

FEDWARD, by the Grace of God, King of England, Lord of Ireland, and Duke of Guyan, To All those that these present Letters shall hear or see, Greeting. Know Ye that We, to the honour of God, and of Holy Church, and to the Profit of our Realm, have granted for us and our Heirs, that the Charter of Liberties, and the Charter of the Forest, which were made by Common Assent of all the Realm, in the time of King Henry our Father, shall be kept in every point without breach. And We will that the same Charters shall be sent under our Seal, as well to our Justices of the Forest, as to others, and to all Sheriffs of Shires, and to all our other Officers, and to all our Cities throughout the Realm, together with our Writs, in the which it shall be contained, that they cause the foresaid Charters to be published, and to declare to the People that We have confirmed them in all points; and [that [2]] our Justices, Sheriffs, Mayors, and other Ministers, which under Us (3) have the Laws of our Land to guide, [shall allow the said Charters pleaded before them in Judgment in all their points; [3]] that is to wit, the Great Charter as the Common Law, and the Charter of the Forest (4) for the Wealth of our Realm.

I. Confirmation of the Charters.

Publication thereof.

AND We will, that if any Judgement be given from henceforth contrary to the points of the Charters aforesaid by the Justices, or by any other our Ministers that hold Plea before them against the points of the Charters, it shall be undone and holden for nought.

II. Judgments against the Charters void.

AND We will, that the same Charters shall be sent, under our Seal, to Cathedral Churches throughout our Realm, there to remain, and shall be read before the People two times by the year.

III. The Charters shall be read in the Cathedrals.

AND that all Archbishops and Bishops shall pronounce the Sentence of (5) Excommunication against all those that by [Word,] Deed, (6) or Counsel do contrary to the foresaid Charters, or that in any point break or undo them. And that the said Curses be twice a year denounced and published by the Prelates aforesaid. And if the same Prelates, (7) or any of them be remiss in the Denunciation of the said Sentences, the Archbishops of Canterbury and York for the time being (8) shall compel and distrein them [to the execution of their duties [9]] in form aforesaid.

IV. The Breakers of the Charters shall be excommunicated.

AND for so much as divers People of our Realm are in fear, that the Aids and Tasks which they have given to Us beforetime towards our wars and other business, of their own grant and good will, howsoever they were made, might turn to a Bondage to them and their Heirs, because they might be at another time found in the Rolls, and [likewise for [10]] the Prises taken throughout the Realm by our Ministers (11); We have granted for Us and our Heirs, that We shall not draw such Aids, Tasks, nor Prises into a Custom, for any thing that hath been done heretofore, [be it by Roll or any other Precedent that may be founden.[12]]

V. Aids, Tasks, and Prises granted to the King shall not be taken for a Custom.

MOREOVER we have granted for Us and our Heirs as well to Archbishops, Bishops, Abbots, Priors, and other Folk of Holy Church, as also to Earls, Barons, and to all the Communalty of the Land, that for no business from henceforth we shall take (13) such manner of Aids, Tasks, nor Prises, but by the common assent of the Realm, and for the common profit thereof, saving the ancient Aids and Prises due and accustomed.

VI. No Aids or Prises shall be taken but by Consent of the Realm.

[1] *to* [2] *and by Us*

[3] *that they allow the same Charters in all their points, in Pleas before them, and in Judgements;*

[4] *according to the Assize of the Forest,*

[5] *great* [6] *Aid*

[7] *Bishops,* [8] *as is fitting*

[9] *to make that denunciation*

[10] *so likewise* [11] *in our name*

[12] *or that may be found by Roll or in any other manner.*

[13] *of our Realm*

VII. A Release of Toll for Wool.

AND for so much as the more part of the Communalty of the Realm find themselves sore grieved with the [Maletent[1]] of Woolls, that is to wit, a Toll of Forty Shillings for every Sack of Wooll, and have made petition to Us to release the same; We at their requests have clearly released it, and have granted [for Us and our Heirs] that we shall not take [such things[2]] without their common assent and good will; Saving to Us and our Heirs the Custom of Woolls, Skins, and Leather, granted before by the Communalty aforesaid. In Witness of which things we have caused these our Letters to be be made Patents. Witness Edward our Son at London the tenth Day of October, the Five and twentieth Year of our Reign.

Saving the Custom granted.

And Be it Remembered that this same Charter, in the same Terms, word for word, was sealed in Flanders under the King's Great Seal, that is to say, at Ghent the fifth day of November in the twenty-fifth year of the Reign of our aforesaid Lord the King, and sent into England.*

[1] *unjust Toll* [2] *such thing nor any other*

* See the Charters of Liberties, preceding the Statutes in this Volume, page 37.

E p' ceo q̃ tut le plus de la cõmunaute del roiaume se sentent durement grevez, de la male toute des leines, cest asavoir de chescun sak de leine quarante soudz, e no⁹ ont prie que nous les vousissoms relesser, nous a leur priere les avoms pleinement relesse, E avoms g'nte qe cele, ne autre, mes ne prendroms sanz lour cõmun assent, e leur bone volunte; sauve a no⁹ e a no⁹ heirs la custume des leines, peaus, e quirs, avant g'ntez p la cõmunaute du Roiaume avauntdit. En tesmoignance de queux choses, no⁹ avoms fait faire cestes nos lres ov̄tes. Tesmoigne Edward nr̃e fitz a Londres le disme jour de Octobr, Lan de nr̃e regne vintisme Quynt.

E fet a remembrer qe meisme ceste chartre, suth meismes les paroles, de mot en mot, fust sele en Flaundres, de suth le g'nt seal le Rey, cest asaver a Gaunt, le quint Jour de Novembr̃, Lan del regne lavantdit nr̃e seignur le Rey vintisime q'nt, e envec en Engleterre.

Ex magno Rot. Stat. in Turr. Lond. m. 38.

The King's Pardon to Humfrey de Bohun and others.

EDWARD by the grace of God King of England, Lord of Ireland, and Duke of Guyan, to all who shall see or hear these present Letters, Greeting: Know Ye, That Whereas on the behalf of our well beloved and trusty Humfrey de Bohun Earl of Hereford and Essex, and Constable of England, and Roger Bygod Earl of Norfolk and Marshal of England, it hath been given us to understand that they fear lest We have conceived rancour and indignation against them, for certain Disobediencies that they have heretofore done, as is said, in that they came not to Us at our Commandment, and, as is said, had disturbed and delayed some of our commands, and certain Alliances and Assemblies of armed People made, against our Will and Prohibition: We, considering that from the things aforesaid, no Offence hath ensued, whatever may have been said thereof, at the special request and prayer of Edward our dear Son and Lieutenant in England, and of the Honourable Fathers William Bishop of Ely, William Bishop of Bath and Wells, Richard Bishop of London, Walter Bishop of Coventry and Lichfield, and Henry elect of York, and of our trusty and well beloved Edmund Earl of Cornwall, John Warren Earl of Surrey and Sussex, William Beauchamp Earl of Warwick, and of others of our Council abiding in England with our aforesaid Son, do release and fully pardon to the said Earls, and to John de Ferrers and all their followers, and all their allies, all manner of Rancour and Indignation which We had conceived against them, if any there were for the causes aforesaid, or any of them: so that none of them the said Earls or John de Ferrers nor any of their followers nor Allies aforesaid, shall be challenged, troubled, or grieved by Us, nor by our Heirs at any time for any of the matters aforesaid. And We do also pardon and release to all others of our Realm, who were summoned or requested to pass with us and passed not, all manner of Rancour and Indignation, if any We had conceived against them for the cause aforesaid. In Witness whereof We have caused these our Letters Patents to be made. Given at Ghent, the Fifth day of November in the Twenty-fifth year of our Reign.

(') DWARD par la Grace de dieu Roi Dengleterre Seignur Dirland & Ducs Daquitaine, a toutz ceux qui cestes p̃sentes lettres verront ou orront salus. Sachiez, qe come de par nos amez & feaux Humfrey de Bohun Conte de Hereford & de Esseẍ, & Conestable Dengleterre, & Roger Bygod Conte de Norff & Mareschal Dengleterre, no⁹ seit fet entendaunt, qil se douterent qe no⁹ eussiens conceu vers eux rancour & indignacion, p' aucunes desobessances qil avoient fetes ne ad geres, a ceo qe hom disoit, en ce qil ne vindrent pas a no⁹ a nr̃e cõmandement, & a ce q̃ hom disoit qil avoient aucuns de nos cõmandementz desturbez & targez, & aucunes aliances & assemblees des gentz darmes faites contre nr̃e volunte & deffense: Nous regardantz q̃ des choses avantdites nul meffait nest par eus sui, uncore, coment qe paroles eent este dittez, a la requeste & priere especiale de Edward nr̃e chr̃er fuiz, & nr̃e lieutenant en Engleterre, & des honurables peres Willame Evesk de Ely, Willame Evesq̃ de Ba & de Welles, Richard Evesqe de Londr̃, Waut̃ Evesq̃ de Coventr̃ & de Lychefeld, & Henry elit de Ev̄wyk, & des nos amez & feaux Edmond Conte de Cornwaill, Johan de Garenñ Conte de Surreye & de Susseẍ, Willame de Beauchamp Conte de Warrewyk, & des autres de nr̃e conseil demorantz en Engleterre pres de lavantdit nr̃e fuiz, releissoms & pdonoms pleinemẽt as ditz Contes, & a Johan de Ferrers, & a toutz leur menengs, & toutz leur aliez, tote manere de rancour, & de indignacion qui no⁹ avoms conceu v̄s eus, si nule ensoit p les enchesons avantdites, ou nule de eles: Issint qe nul des ditz Contes, ne Joh'n de Ferrers, ne nul de leur menengs, ne de leur aliez avantditz, ne soient chalengez, encheisonez, ne grevez par nous ne par nos heirs en nul temps, p' nule des choses avantdites. E ausi pdonoms & releissoms a toutz autres de nr̃e Roiaume, qui furent somonz, ou priez de passer ovesq̃ no⁹, & ne passerent, totes maneres de rancour & de indignacion, si nule eussiens conceu vers eus p cele encheison. En tesmoignance des queux choses, nous avoms fait faire cestes nos lres overtes. Donees a Gaunt le quint jour de Novembr Lan de nr̃e regne vintisme Quint.

[1] A Blank for the Letter E.

Statutū de Tallag'.

A STATUTE CONCERNING TALLAGE.*

Ex MS. 377. in Coll. Corp. Christi, Cantab'.

NULLUM Tallagiū vel auxilium p nos vel hered nr̃os (1) in regno nostro [ponat' 2] seu levet' sine voluntate & assensu [tocius 3] Archiep̃oꝝ, Ep̃oꝝ, (4) Com̃, Baronū, Milit', Burg̃, & aliōꝝ liḃoꝝ [hōiū 5] [de 6] regno nr̃o. Nullus Minister nost̃ vel hedum nr̃oꝝ capiat blada (7) correa aut aliqua alia bona [alicujus 8] sine volūtate & assensu illius cujus fuerint (9) bona. Nich capiat' decet̃o nōie vel occ̃one [maletote 10] de sacco lane. Volum̃ (11) & concedimus p nobis & hed nostris qd omnes clici & laici de regno nostro heant omnes leges & liḃtates & liḃas conś suas, ita libere & integr̃ sicut eas aliq° tēpe melius & plenius here consuevnt; & si con̄ [eas vel eaꝝ quocūq; articlo 12] in p̃sent̃ Carta content' statuta fuerint edita p nos [& 13] antec̃ nr̃os vel consuetudines [int°ductas,14] volumus & concedimus qd hum̃i conś & statuta vacua & nulla sint imppetuū. Remisim̃ eciam Humfrid de Boū Comiti Hereford (15) Constabular' Angl', & Rog̃o Bigot Com̃ Norff̃ (16) Maress'all' Angl', & aliis Comit', Bar', Milit', Armig̃is, & J. de Ferreres ac omnib; aliis de eoꝝ societate confederac̃oe & concordia existent', necnō & omnib; [xl. li 17] t̃re tenentibus in regno nostro, sive de nobis [teneant 18] in capite sive de alio quocumq;, (19) ad t̃nsfretand nobiscū in Flandr̃ c̃to die [vocatis,20] rancorem (21) & malam voluntat̃ [q°m ex causis sup°dc̃is erga [nos 22] huim̃,23] ac & t̃nsgressiones si quas nobis vel nostris fec̃int, usq; ad p̃sent̃ carte confec̃om: & ad majorē huj̃ rei securitatem volum̃ & concedim̃ [& hedes nost' 24] qd omnes Archiep̃i, (25) Ep̃i, (26) imppetuū in suis cathedralib; ecc̃iis [hitantib; present̃ carta lecta,27] excōicent [& puplice 28] in singulis poch ec̃ciis suaꝝ dioc̃ excōicare seu excōicatos denunciare (29) bis in anno omnes [illos 30] qui con̄ tenorē p̃sentis Carte vim & effc̃m, [quoquo m° arte vl ingenio scienter fec̃int aut fieri p̃curav̄int.31] In cujus rei testimoniū presenti Carte sigill nr̃m est appens unacum sigillis Archiep̃oꝝ, Ep̃oꝝ, (32) Com̃, Baronū, & aliorū qui sponte juravint qd tenorem p̃sent̃ Carte, [q°m 33] in eis est, in omnib; [causis 34] & singulis articlis [servabnt,35] & ad (36) obs̃vac̃om (37) auxiliū fidele p̃stabunt [&c.38] (39).

[1] de cetero *H.* [2] imponatur *H*; *MS. Cott.* [3] communi *H.*
[4] et aliorum Prelatorum *H.*—Abbatū, Priorū, *MS. Cott.*
[5] com̃ *B.* [6] in *H.* [7] lanas *H.*
[8] cujuscunque *H: MS. Cott.* [9] hujusmodi *H.*
[10] maletoute *MS. Rawl*; *B.*—malæ toltæ *H.* [11] eciam *H.*
[12] illas vel quemcunque articulum *H.* [13] vel per *H.*
[14] introductæ *H: B: MS. Cott.*
[15] & Essex *MSS. Rawl. & Cott: H: B.*
[16] et Suff̃ *MS. Rawl: B.*
[17] viginti li *MSS. Rawl. & Cott.*—xx^ti libratas *H.* viginti libratas *B.* [18] *H*; *MS. Cott.* omit. [19] qui *H.*
[20] notato vocati fuerunt & non venerunt *H.* [21] nostrum *H.*
[22] eos *H.*—vos *MS. Cott.* [23] erga nos habitam *B.*
[24] &c. *MS. Cott: B.* omits.—pro nobis & heredibus nostris *H.*
[25] et *H. B.* [26] Angliæ *H.*
[27] habita presenti carta & lecta, *H.* [28] publice et *H.*
[29] faciant *H.* [30] *H.* omits.
[31] in quocunque articulo scienter fecerint aut fieri procuraverint quoquomodo *H.* quoquom° vel articlo scienter fecerint aut fieri procurav̄int *MS. Cott: B.* [32] Abbatū, *MS. Cott.*
[33] quatenus *H.* [34] casibus *MS. Cott.*—*H.* omits.
[35] observabunt *H.* [36] ejus *H.*
[37] consilium suum et *H.* [38] in perpetuum. *H.*
[39] Et omnia ista sc'bant' in Magna Carta & Carta de Foresta *MS. Cott.*

NO Tallage or Aid shall be [taken 1] or levied by Us or our Heirs in our Realm, without the good will and Assent of (2) Archbishops, Bishops, Earls, Barons, Knights, Burgesses, and other [Freemen of the Land.3] No Officer of ours, or of our Heirs, shall take Corn, [Leather, Cattle,4] or any other Goods, of any manner of Person, without the good will and Assent of the Party to whom the Goods belonged. Nothing from henceforth shall be taken [of Sacks of Wooll, by colour or occasion of male-tent.5] We will and grant for Us and our Heirs, that all Clerks and Laymen of our Land shall have (6) their Laws, Liberties, and free Customs, as largely and wholly as they have used to have the same at any time when they had them best (7); and if any Statutes have been made by us or our Ancestors, or any Customs brought in contrary to them, or any manner of Article contained in this present Charter, We will and grant, that such manner of Statutes and Customs shall be void and frustrate for evermore. Moreover, We have pardoned Humfrey Bohun Earl of Hereford and Essex, Constable of England, Roger (8) Earl of Norfolk and Suffolk, Marshal of England, and other Earls, Barons, Knights, Esquires, and namely John de Ferariis, with all other being of their Fellowship, Confederacy, and Bond, and also to all other that hold xx. pound Land in our Realm, whether they hold of Us in chief, or of other, that were appointed at a Day certain to pass over with Us into Flanders, the Rancour and Evil-will [born against us,9] and all other Offences (10) that they have done against us (11) unto the making of this present Charter: And for the more assurance of this thing, We will and grant, (12) that all Archbishops and Bishops for ever [shall read this present Charter in their Cathedral Churches twice in the Year, and upon the reading thereof in every of their Parish Churches, shall openly denounce accursed 13] all those that willingly do (14) procure to be done any thing contrary to the Tenor, Force, and Effect of this present Charter in any Point and Article. In Witness of which Thing We have set our Seal to this present Charter, together with the Seals of the Archbishops, Bishops, [&c.15] which voluntarily have sworn that, as much as in them is, they shall observe the Tenor of this present Charter in all Causes and Articles, and shall extend their faithful Aid to the keeping thereof: &c.

I. No Tallage or Aid without Assent of Parliament.

II. No Purveyance without the Owner's Assent.

III. No Male-tolt.

IV. All Laws, Liberties, and Customs, confirmed.

V. Pardon granted to certain Offenders.

VI. Excommunication shall be pronounced against the Breakers of this Charter.

[1] laid [2] the
[3] Free Commons of our Realm. [4] *Wool, Leather*
[5] in the name or by occasion of Maletoute of a Sacke of Wool,
[6] *all* [7] *and most fully* [8] *Bigot*
[9] *which for the aforesaid causes we conceived against them*
[10] *if any* [11] *or ours*
[12] *for ourselves and our Heirs,*
[13] *in their Cathedral Churches, this present Charter being first read, shall excommunicate, and publicly in the several Parish Churches of their Dioceses, shall cause to be excommunicated, or to be declared excommunicated twice in the year,*
[14] or
[15] *Earls, Barons, and others*

* In the Printed Copies of the Statutes, this is intitnled, 'Statutum de Tallagio non concedendo;' and in the Translations 'A Statute concerning certain Liberties granted by the King to his Commons;' In MS. Cott. XXV. fo. 7, 'Nova addicio Cartarum;' In the Chronicle of Walter de Hemingford, printed by Hearne (Oxford 1731, pa. 141) 'Articuli inserti in Magna Carta' See Blackstone's Charters, Introd. pa. lxv. (4to edit) note *b*. The Various Readings marked *MS. Rawl.* are from the Rawlinson Manuscript 276; Those marked *H.* are from the Copy in Hemingford's Chronicle, wherewith agrees Knighton's Chronicle; and those marked *B.* are from 'Secunda Pars Veterum Statutorum' printed by Berthelet in 1532. In some printed Copies of the Statutes, and in 2 *Inst.* 532, this Statute is attributed to the 34th year of King Edward I.

Sententia lata super Confirmatione Cartarum.

THE SENTENCE OF THE CLERGY GIVEN ON THE CONFIRMATION OF THE CHARTERS.

IN THE NAME of the Father, the Son and the Holy Ghost, Amen. Whereas our Sovereign Lord the King to the Honor of God and of Holy Church, and for the common profit of the Realm hath granted for him and his Heirs [for ever these Articles above written :[1]] [Robert[2]] Archbishop of Canterbury Primate of all England [admonished all his Province once, twice and thrice; because that shortness will not suffer so much delay as to give knowledge to all the People of England of these Presents in writing: We therefore enjoyn All Persons, of what Estate soever they be,[3]] that they and every of them, as much as in them is, shall uphold and maintain these [Articles[4]] granted by our Sovereign Lord the King in all points: And all those ([5]) that in any point do ([6]) resist or break, or in any manner hereafter procure, counsel, or in any wise assent to resist or break [those Ordinances,[7]] or go about it, by word or deed, openly or privily by any manner of pretence or colour, We the foresaid [Archbishop,[8]] by our Authority in this Writing expressed, do excommunicate and accurse, and from the Body of our Lord Jesus Christ and from all the Company of Heaven, and from all the Sacraments of Holy Church do sequester and exclude. So BE IT.

[1] *to be kept in his Realm, for ever, the things hereafter written: Here let the Charters, &c. be read.*
[2] *We, Robert of Winchelsea, by the Grace of God,*
[3] *do admonish once, twice, thrice, since that the shortness of time alloweth no longer delay, All Men of the Realm of England, and every of them, of what Estate or Condition soever they be,*
[4] *Things* [5] *and every of them*
[6] *at any time* [7] *the same,*
[8] *Robert, Archbishop of Canterbury and Primate of all England,*

Ex MS. Harl. 667. fo. 14.

EN le noun del pere & del fiz, & del seynt espirit, Amen. Cū nr̃e Seignur le Roy al honur de dieu e de seint Eglise, & al cōmū profit de sun Realme, ad grante pur li e pur ses heires a tenir en sun Realme a touz jours les choses susescrites; Hic legantur Carte etc̃. Robert de Wynchelsee, p la grace de dieu Arcevesk de Canterbire e primat de tote Engletere, amonestums unefethe deufethe treisfethe, puys qe la brevete de tens plus lung delay ne suffre, touz ceus du Realme de Engletere, e chescun de eus, de quel estat ou de quele conditioun quil seient, qe touz e chescun de eus, tant cum en eus est, cestes choses grantez p nr̃e Seignur le Roy avantdit, tiegnent e meyntenent enterement en touz lour poynz: E [qe eus ne nul de eus[1]] encoūtre viegnent, ne enfreynent en nul poynt, en nul tens, ou procurūt, ou conseillerunt, ou en nul manere assenterunt de countrevenir, ou conseillerunt de fet ([2]) de dit aptement ou covertement p nule manere de colour; Nous avantdit Robert Arcevesk de Canterbire e Primat de tote Engletere p nr̃e auctorite en cest escrit Escomengons e del cors nr̃e Seignur Jh̃u Crist, & de tote la cūpeynie du ciel, e de touz les sacremenz de seynt Eglise severoms: fiat, fiat, Amen.

[1] touz ceux, et chescun de eux, que
[2] ou
} *Old Printed Copies.*

Anno 27° EDWARDI, I. A.D.1299.

Statutum de Finibus Levatis.

THE STATUTE OF FINES LEVIED.*

EDWARD, by the Grace of God, King of England, Lord of Ireland and Duke of Guyan, to the Sheriff of Lancaster greeting. Whereas of late before our Passage into Flanders, We, being at Westminster, having regard unto the heavy charges and expences, which the People of our Realm had made and sustained in divers manners in our behalf, as well in time of Peace as War, had no small wish and desire to shew favour unto the same People, as far as We were able at that time; and did grant unto the same People, of our own free will, for Us and our Heirs, That the Great Charter of Liberties should be observed in all its points; and likewise that the Charter of the Forest should be kept; yet saving our Oath, the Right of our Crown, and our Exceptions, and those of others also: Which things We did then cause to be declared on our part and in our presence, by the Reverend Father Robert Archbishop of Canterbury; and again at Odimere, in our way into Flanders, We gave command under our Seal, that the same Grant should be observed and holden throughout

Ex Rot. Stat. in Turr. Lond. m. 37.

EDWARDUS dei gr̃a Rex Angł Dñs Hibn̄ & Dux Aquitanñ Vicecomiti Lancastr̃ sal̃tm. Cum nup ante t̃nsfretac̃oem nr̃am in Flandr̃, apud Westm̄, nos ħentes respectum ad [g̃ta ꝥ - - -[1]] misas & expensas, que populus regni nr̃i ([2]) fec̃at & sustinu̇at diu̇sis modis p nob, tam tempore pacis q̃ guerre, ħuissemus non modicam voluntatem & desideriū, populū ip̃m respic̃e put tunc temporis potuim⁹; concessim⁹ eidem populo de nr̃a ꝓpria voluntate, p nob & heredib⁹ nr̃is, qd magna carta de libertatib⁹ observet̃ in om̄ib⁹ punc̃tis suis; & similit⁹ carta de foresta ꝥvet̃, salvis tamen juramento nr̃o, jure corone nr̃e, & racionib⁹ nr̃is, ac eciam alio⁹: que quidem p venabilem p̃rem R. Archiep̃m Cantuar̃, ex pte nr̃a & in nr̃a ꝑsencia tunc pnunciari fecim⁹; & deinde apud Odimere, in ip̃o passagio nr̃o in Flandr̃, eandem concessionem, sub sigillo nr̃o observari, ꝑcipiendo

[1] grata servicia, *L.* [2] frequen⁹ *L.*

* These Titles are from the Printed Copies: no Title appears on the Roll.—Among the Cottonian Manuscripts in the British Museum, Cotton Charters VII, 11, is preserved an Exemplification of this Statute under the Great Seal, directed to the Sheriffs of London, and marked "Examinat̃ p Civ. London."—The Various Readings from this Exemplification are marked *L.*

mandavim[9] & teneri p totū regnū nr̄m in quolibet Comitatu. Et quia a tempore illo, cit[e], p artac̄oem & dist[r]ccionem guerraz, eramus occupati multiplicit & dist[r]cti in diu̇sis pat[r]is & longinquis, ppt quod scire nequivimus statum regni nr̄i; Nos diebz istis quatenus nob vacat, nr̄am continuantes primariam voluntatem, huimus deliberac̄oem sup concessione nr̄a p̄dc̄a; et ad honorem dei & sc̄e mat[r]is eccl̄ie, ac cōmodum tocius populi regni nr̄i, Volum[9] qd p̄dca magna carta de lib̄tatibz observetur in om̄ibz punctis suis; et carta eciam de foresta, sc̄dm subsc[r]ptos articulos, qui sūt tales:

Inquisicio vel visus de expeditacione canū existenciū in foresta, decet̄o fiat, quando fieri debet regardū, scilt de t̄cio anno in t̄ciū annū, et tunc fiat p visum & testimoniū legal hōim, (1) et ille cujus canis inventus fuit tunc non expeditatus, det p ñia tres solidos. Et decet̄o nullus bos capiatur p expeditacione. Talis autem fiat expeditacio p assiam [com̄ [2]] qd tres ortelli [abscidant[r] [3]] sine pelota de pede anteriori. Nec expeditent[r] canes decet̄o nisi in locis ubi consueverunt expeditari, tempore prime Coronacionis (4) Regis H. avi nr̄i. Nullus Forestarius vel Bedellus decet̄o faciat scotallas, vel colligat garbas vel avenam, vel bladum aliquod, vel agnos, vel porcellos, nec aliquam collectam [faciat. Et [5]] p visum & sacr̄m duodecim regardatoz quando facient [regardum tot [6]] forestarii ponant[r] ad forestas custodiendas, quot ad illas custodiendas racionabilit̄ viderint suffic̄e. Nullum Swaynimotum decet̄o teneat[r] in regno nr̄o, nisi ter in anno, videl̄t in principio quindecim diez ante festum Sc̄i Mich̄is, quando Agistatores nr̄i cōveniunt, ad agistandū d̄nicos boscos nr̄os, et circa festum Sc̄i Martini, quando Agistatores nr̄i debent recip̄e pannagiū nr̄m; et ad ista duo Swaynimota cōveniant forestarii, viridarii, & agistatores, & nō alii p districc̄oem; et t̄cium Swaynimotū teneatur in inicio quindecim diez ante festum Sc̄i Johis Bap̄te, p feonacione bestiaz nr̄az, et ad illud Swaynimotū tenendū cōveniant forestarii, virid & non alii p districc̄oem. Pret̄ea singlis quadraginta diebz p totum annū, cōveniant forestarii & viridarii ad videnđ attachiamenta de foresta, tam de viridi q[a] de venac̄oe, p presentac̄oem forestariorz ip̄oz & coram ip̄is attachiatis. Pred̄c̄a autem Swaynimota nō teneant[r] nisi in Comitatibz in quibz teneri consueverunt. Unusquisq; liber homo agistet boscū suū in foresta p voluntate sua, & h̄eat pannagiū suū. Concedim[9] eciam qd unusquisq; liber homo duc̄e possit porcos suos p d̄nicum boscum nr̄m, libere & sine impedimento, ad agistand eos in boscis suis ppriis vel alibi ubi volūit. Et si porci alicujus liberi hōis, una nocte pnoctauint in foresta nr̄a, non inde occ̄onetur, unde aliquid de suo pdat. Nullus decet̄o amittat vitam vel membra p venacione nr̄a; [Et [7]] si quis captus fuit & cōvictus de capcione venacionis, g[a]vi[9] redimat[r], si h̄eat unde redimi possit; Si autem nō h̄eat unde redimi possit, jaceat in prisona nr̄a p unū annū & unū diem Et si post unū annū & unū diem plegios invenire possit, exeat de prisona. Sin aut̄e, abjuret regnū Angl. Quicumq; Archiep̄us, Ep̄us, Comes, vel Baro veniens ad nos ad mandatū nr̄m, t[a]nsierit p forestam nr̄am, liceat ei cape unam bestiam, vel duas, p visum forestarii si p̄sens fuit, sin autem, faciat cornari, ne videatur furtive hoc fac̄e.

[1] & nō aliter, *Rot. Stat. 25 Ed. I. [interlined]*.—*L.* omits.
[2] cōiter *L.*—cōmuni[9] [usitatam *interlined.*] *Rot. Stat. 25 Ed. I.*
[3] abcindant[r] [4] p̄dci } *Rot. Stat. 25 Ed. I.*
[5] faciat, & [6] regardum. Tot [7] set }
[2 4 5 6 7] In all these Instances *L.* reads as in the Text.

our whole Realm, in every County. And Because from that time forth, We have been manifoldly occupied and distracted by restraint and distress of Wars, in divers Countries and afar off, by reason whereof We could not know the state of our Realm; We in these days so far as our leisure allows, persevering in our former intention, have deliberated upon our aforesaid Grant: And to the Honour of God and of our Holy Mother Church, and the good of the whole People of our Realm, We will that the aforesaid Great Charter of Liberties be observed in all its points; and the Charter of the Forest also, according to the under-written Articles, which are these.

General Confirmation of the Great Charter:

Confirmation of the Charter of the Forest, viz.

The Enquiry or View for Lawing of Dogs within our Forest shall be made from henceforth when the Range is made, that is to say, from three year to three year; and then it shall be done by the view and testimony of lawful men, and not otherwise; and he whose Dog is not lawed, and so found, shall pay for his Amerciament iij s.: And from henceforth no Ox shall be taken for Lawing of Dogs. And such Lawing shall be done by the Assise commonly used, that is to say, that three claws of the fore foot shall be cut off [by the skin.'] But from henceforth such Lawing of Dogs shall not [be,[2]] but in places where it hath been accustomed from the time of the first Coronation of the foresaid King Henry our Grandfather. No Forester or Bedel from henceforth shall make Scotal, or gather garb, or oats, or any corn, lamb, or pig, nor shall make any [Gathering, but [3]] by the sight and upon the [view [4]] of the twelve Rangers, when they shall make their [range. So [5]] many Foresters shall be assigned to the keeping of the Forests, as reasonably shall seem sufficient for the keeping of the same. No Swanimote from henceforth shall be kept within this our Realm, but thrice in the year; videlicet, the beginning of fifteen days afore Michaelmas, when that our Gest-takers, or Walkers of our Woods, come together to take Agestment in our demesne Woods; and about the Feast of St. Martin [in the winter,] when that our Gest-takers shall receive our pawnage: And to these two Swanimotes shall come together our Foresters, Vierders, Gest-takers, and none other, by distress; and the third Swanimote shall be kept in the beginning of fifteen days before the feast of St. John Baptist, [when that our Gest-takers do meet to hunt our deer;[6]] and at this Swanimote shall meet our Foresters, Vierders, and none other, by distress. Moreover, every forty Days through the year our Foresters and Vierders shall meet to see the Attachments of the Forest, as well for greenhue, as for hunting, by the Presentment of the same Foresters, and before them attached. And the said Swanimotes shall not be kept but within the Counties in which they have used to be kept. Every Freeman may agest his own Wood within our Forest at his pleasure, and shall take his Pawnage. Also We do grant, that every Freeman may drive his Swine freely without impediment through our demesne Woods, for to agest them in their own Woods, or else where they will. And if the Swine of any Freeman lie one night within our Forest, there shall be no occasion taken thereof, whereby he may lose any thing of his own. No Man from henceforth shall lose either Life or Member for [killing[7]] of our Deer; but if any man be taken and convict for taking of our Venison, he shall make a grievous fine, if he have any thing whereof; and if he have nothing to lose, he shall be imprisoned a year and a day: and after the year and day expired, if he can find sufficient Sureties, he shall be delivered; and if not, he shall abjure the Realm of England. Whatsoever Archbishop, Bishop, Earl, or Baron, coming to us at our commandment, [passing by [8]] our Forest, it shall be lawful for him to take and kill one or two of our Deer, by view of our Forester, if he be present; or else he shall cause one to blow an horn for him, that he seem not to steal our Deer.

Amercement

How Dogs shall be lawed.

Foresters' Collections.

Appointment of Foresters.

Swanimotes.

Michaelmas.

Martinmas.

Midsummer.

Courts of Attachments.

Agistments and Pawnage.

Deer-stealers.

What Deer Noblemen may take.

[1] *without the Ball*
[2] be done
[3] *gathering; and*
[4] oath
[5] *range, so*
[6] *for the fawning of our Does;*
[7] *hunting*
[8] *passeth through*

Land, &c. of Freemen in the Forest.

And likewise they shall do returning from us, as it is aforesaid. Every Freeman from henceforth without [danger,[1]] shall make in his own wood, or in his land, [or in his water,[2]] which he hath within our Forest, [mills, springs, pools, marl-pits, dikes,[3]] or earable ground, [without inclosing that earable ground,[4]] so that it be not to the annoyance of any of his neighbours.

Ayries of Hawks, &c.

Every Freeman shall have, within his own Woods, Ayries of Hawks, Sparrow-hawks, Faulcons, Eagles, and Herons: and shall have also the Honey that is found within his Woods.

Honey.

Chyminage.

No Forester from henceforth, which is not Forester in fee, paying to Us ferm for his Bailiwick, shall take any Chimmage or Toll within his Bailiwick; but a Forester in fee, paying us ferm for his Bailiwick, shall take Chimmage; that is to say, for carriage by Cart the half-year ij d. and for another half-year ij d. for an horse that beareth loads, every half-year, an half-peny, and by another half year half a peny; and but of those only that come as Merchants [through his Bailiwick[5]] by licence to buy bushes, timber, bark, coal, and (6) to sell it again at their Pleasure; but for none other carriage by Cart (7) Chimmage shall be taken; nor Chimmage shall not be taken, but in such places only where it (8) hath been used to be (9). Those which bear upon their backs brushment, bark, or coal to sell, though it be their living, shall (10) pay no Chimmage [to our Foresters, except they take it within our demesne Woods.]

Amount thereof.

From whom.

Exemptions.

Pardon of Outlaws.

All that be outlawed for the Forest only, since the time of King Henry our Grandfather, until our first Coronation, shall come to our peace without let: and shall find to us Sureties, that from henceforth they shall not trespass unto us within our Forest.

Pleas of the Forest.

No Constable, Castellan, or [Bailiff[11]] shall hold Plea of Forest, neither for greenhue nor hunting; but every Forester in Fee shall make Attachments for Pleas of Forest, as well for greenhue as hunting, and shall present them to the Vierders of the Provinces; and when they be enrolled and enclosed under the seals of the Vierders, they shall be presented to our chief [Justicers[12]] of our Forest, when [they[13]] shall come into those parts to hold the Pleas of the Forest, and before [them[12]] they shall be determined."

Which Articles abovesaid, We will to be stedfastly observed and holden: Willing nevertheless that Perambulation be made; Saving always our Oath, the Right of our Crown, and our Exceptions and Challenges, and those of all other Persons: So that such Perambulation be reported unto Us, before that any execution or any thing else be done thereupon: Which Perambulation We will shall be made as aforesaid, as soon as may be after the businesses that we have in hand with the Messengers who are about to come from the Court of Rome; but which are indeed so arduous, that they not only concern Us and our Realm, but all Christendom; and for the more sound consideration whereof We shall fully require the advice of our whole Council. And besides the making of our Grant of the premises, as it is expressed above, We have upon diligent meditation thought of certain Defects in the Law, manifold Grievances and Oppressions, which in many other ways have been brought upon the People aforesaid in times past: And We are willing, upon those which occur to Us at present, towards the Relief and Benefit of the same People, for the certainty of the Law, to establish and set a Remedy in manner following.

I. Exception to a Fine, that the Demandant was always seised, shall not be admitted.

FORASMUCH as Fines levied in our Court ought and do make an end of all matters, and therefore are called Fines [principally, where after waging of Batail[13]] or the great Assise in their cases ever they hold the last and final place: And now by a certain time passed, as well in the time of King Henry of famous memory, our Grandfather, as in our time, the Parties of such Fines and their Heirs, contrary to the Laws (14) of our Realm of ancient time used, were admitted to adnul and

[1] *hindrance* [2] Not in Original.
[3] *a Mill, Vivary, Pool, Marl-pit or Ditch*
[4] *without the Covert, in the earable Land,*
[5] *into his Bailiwick from without the same*
[6] *to draw it elsewhere* [7] *or load*
[8] *ought and* [9] *of old time*
[10] *henceforth* [11] *other* [12] *Justicer—he—him*
[13] chiefly when, next unto Trial by Battel
[14] *and Customs*

Idem liceat eis in redeundo facꝛe, sicut ꝓdčm est. Unusquisq; liber homo decetꝰ sine occõne faciat in bosco suo, vel in ꝛra sua, quam ħet in foresta, molendinũ, vivariũ, stagnũ, marleram, fossatum, vel ꝛram arabilem extª cooptum in ꝛra arabili Ita qđ non sit ad nocumentũ alicuj vicini. Unusquisq; liber homo ħeat in boscis suis aereas ancipitrum, Espvarioꝝ & falconũ, aquilaꝝ & heyronũ: Hẽat similiꝛ mel qđ inventũ fuit in boscis suis. Nullus Forestarius deceꝛ, qui non sit Forestarius de feodo, firmam nob reddens p balliva sua, capiat chiminagiũ aliquod in balliva sua. Forestarius autem de feodo, firmam nob reddens p balliva sua, capiat chiminagiũ, videlt p caretta p dimidiũ annũ duos denaꝛ, (1) Pro equo qui portat sũmagiũ p dimidiũ annũ, obolũ, & p aliũ dimidiũ annũ obolũ; et non nisi de illis qui de extª balliam suam tanqꝫ ñicatores veniũt, p licenciam suam in ballivam suam, ad buscam, maeremiũ, corticem, vel carbonem emend, & alias ducend ad vendendũ ubi voluint. Et de nulla alia caretta, vel sũmagio aliquo, chiminagiũ capiatꝛ. Et non capiatur chiminagiũ, nisi in locis, in quibꝫ antiquitꝰ capi solebat & debuit. Illi autem qui portant sup dorsum suũ buscam, corticem, vel carbonem ad vendendũ, qꝰvis inde vivant, nullum decetꝰ dent chiminagiũ. Omnes Utlagati p foresta tantum a tempe ℞. Henrici avi nr̃i, usq; ad primam coronačõem nr̃am, veniant ad pacem nr̃am sine impedimento, & salvos plegios inveniant, qđ decetꝰ nõ forisfacient nob de foresta nr̃a. Nullus (2) Castellanus vel alius teneat placita de foresta, sive de viridi, sive de venačõe, set quilibet Forestarius de feodo attachiet placita de foresta, tam de viridi, qª de venačõe, & ea ꝓsentet Viridariis pvinciaꝝ, et cum irrotulata fuint, & sub sigiłł Viridariꝰ inclusa, ꝓsententꝛ capitali Justič nr̃o cum in ptes illas venit ad tenendũ placita foreste & coram eo ꝛminentꝛ.

Quos autem Articłos supradčos firmiꝛ & inviolabiliꝛ observari volumꝰ & teneri, volentes nichilominꝰ, qđ pambulacio fiat; Salvis semp juramento nr̃o, jure corone nr̃e, & rõnibꝫ nr̃is atq; calumpniis ac oĩm alioꝝ. [Ita qđ pambulačõ illa nob reportetꝛ anteqª aliqua execucio vł aliquid aliud inde fiat,[3]] quam quidem pambulačõem volumꝰ qđ fiat, sicut ꝓdicitꝛ, ad cicius qđ fieri potit, post negocia que ħemus expedienda cum nunciis qui de Romana Curia sunt venturi; que vero ita sunt ardua, qđ non solũ nos & regnũ nr̃m set totam Xꝑianitatem contingunt, & ad ea sanius ptªctanda totum consiliũ nr̃m ħere plenarie indigemꝰ.

Et ꝓt concessionẽ nr̃am fčam sicut supius expłmitꝛ de ꝓmissis, diligenti meditacione pensavimꝰ quosdam juris defčus, multimoda gªvamina, & oppressiones, que pluribꝫ aliis modis ꝓfato populo sunt illata temporibꝫ retroactis; & volumꝰ sup illis que nob occurebant ad ꝓsens, ad alleviacionem & cõmoditatem ejusdem populi, p legis čtitudine stabilire & remediũ appone in hunc modum.

Quia Fines in Curia nr̃a levati finem litibꝫ debent imponꝛe & imponũt, & ideo fines vocantur maxime cum post duellũ & magnam assĩam in suo casu ultimũ locũ & finalem teneant & ꝑpetuũ. Jamq; p aliquod tempus ꝓtitũ, tam tempore clare memorie dñi H. Regis ꝑis nr̃i, qª nr̃o, ptese oꝺem Finiũ, & eaꝝ ptiũ heredes, contª leges & consuetudines regni antiquitꝰ usitatas sup hujusmodi finibꝫ evacuandis & adnullandis admittebantꝛ,

[1] & p alium dimidiũ annũ duos denarios, *Rot. Stat.* 25 *Ed. I.*; *L.*
[2] Constabulariꝰ [*interlined*] *Rot. Stat.* 25 *Ed. I*:—*L.* omits.
[3] Interlined on the Roll:—*L.* omits.

ꝓponentes qđ ante finem levatū, & tempe levacionis ejusdem & postea, petentes seu querentes, aut eoꝝ antecessores de tenementis, in Finibꝫ contentis, aut de aliqua ꝑte eoꝝdem, semp fuerunt seisiti, et sic Fines hujꝰmodi rite levati, ꝑ juratores patˡe, falso subornatos, & maliciose ꝓcuratos, multociens evacuabantʳ & adnullabantʳ minus juste: Volentes sup ꝓmissis remediū adhibere, in ꝑliamento nr̃o apud Westm̃ statuimꝰ, qđ dċe excepc̃oes seu responsiones, vel inquisic̃oes patˡe, sup hujusmodi excepcionibꝫ seu responsionibꝫ nullo modo contª hujusmodi Recogniciones & Fines deceꝑo admittantʳ. Et volumꝰ qđ statutum istud tam locum ħeat ad Fines prius levatos, qª impoſtum levandos. Et videant Justiciarii qđ note & Fines in Curiam impoſtum levandi, publice & solempniꝑ legantʳ, et qđ placita inꝑim cessent õino, et hoc fiat ꝑ duos dies in septimana, ſc̃dm discrecionem Justiciar̃.

Item ordinavimꝰ de concilio nr̃o qđ Vicecomites deceꝑo non oñentʳ de aliquibꝫ exitibꝫ levandis, nec aliquos levent, anteqª exeant de Scᵉc̃io ꝑ extᵉc̃as Justic̃ ibidem liberandas, et qđ in extᵉc̃is Justic̃ singula capita oñentʳ de exitibꝫ suis forisfc̃is sicut & de amc̃iamentis. Et si forsitan aliquis Vicecomes respondit de exitibꝫ alicujus recognitoris vel plegii seu manucaptoris, ꝑ ip̃m appositi & in Cur̃ nr̃a retornati, qui ad solūc̃oem eoꝝdem exituū seu amc̃iamentoꝝ tempe returni nō sufficiat, idem Vicecomes ad Scᵉc̃m nr̃m inde oñetʳ & respondeat. Et caveant sibi Vicecomites sub gª vi forisfc̃ura, qđ deceꝑo faciant singulis tallias, de denariis quibuscumq; ꝑ ꝓceptum nr̃m, ꝑ ip̃os Vicecomites & subditos suos receptis: Et qđ non retornent alicubi nōia manucaptoꝝ, juratoꝝ, seu alioꝝ, nisi ip̃i manucaptores, juratores seu alii, sc̃dm tenorem br̃ium nr̃oꝝ, vicecomitibꝫ inde directoꝝ, ad hoc legaliꝑ (1) manifeste ꝓmuniantʳ. Nec retornent aliqua nōia plegioꝝ, liberoꝝ hom̃, nisi ip̃i manifeste pleg̃ se concesserunt. Et sup hoc statuimꝰ, qđ quolibet anno semel ꝑ annū mittantʳ unus Baronū & unus clicus de dċo Scᵉc̃io nr̃o ꝑ singulos Com̃ Angl, ad imbriandū nōia om̃ qui anno illo debita ꝑ viridam ceram ab eis exacta solverunt; et iidem Baro & clicus tallias illas videant & imbrient, et audiant & ꝓminent querelas sup vicecomites & ballivos contª ꝓmissa venientes, & gªvi ꝑ puniantʳ transgressores.

Quia Vicecomites & alii temporibꝫ retroactis latrones notorios & manifestos, & ꝑ morte hom̃is & aliis feloniis [capto[2]] & impˡsonatos & qui non [replegʒ[3]] ꝑ plevinam dimiserunt, contª formam statuti nr̃i, de hiis qui sunt irreplegiabiles & qui non, nup editi, ꝑ quođ ip̃i malefc̃ores [irreplegʒ[4]] sic replegiati, ad eoꝝ deliberac̃oem falso faciendam, juratores patˡe ꝑ se & amicos suos, ante adventū Justic̃ itiñanciū, aut alioꝝ, ad eoꝝ deliberac̃oem assignatoꝝ ꝓcurant & subornant, aliisq; minantʳ, ꝑ quod tam ꝓꝑ metum vicecomitū & alioꝝ, ꝑ talem plevinam illos dimittenciū, qª timorem eoꝝdem latronū, seu felonū sic liberatoꝝ, coram Justic̃ ad gaolas deliberandas assignatis homicidia & latrocinia suffocantʳ, & ip̃a sic concelata penitus remanent impunita: Nos ꝑ utilitate regni nr̃i, & pace nr̃a firmius observanda, statuimꝰ & ordinavimꝰ, qđ Justic̃ ad assīas capiend̄ assignati, in singlis Com̃ ubi capiūt

[2] captos *L.*
[3] sūt replegiabiles *L.*
[4] irreplegiabiles *L.*

defeat such [Fine,'] alledging, that before the Fine levied, and at the levying thereof, and since, the Demandants or Plaintiffs, or their Ancestors, were alway seised of the Lands contained in the Fine, or of some parcel thereof; and so Fines lawfully levied were many times unjustly defeated and adnulled by Jurors of the Country falsly (2) and maliciously procured; We therefore, intending to provide a Remedy in the Premises, in our Parliament at Westminster, have ordained, that such Exceptions, (3) Answers, or Inquisitions of the Country (4) shall from henceforth in no wise be admitted contrary to such Recognizances or Fines. And further We will, that this Statute shall as well extend unto Fines heretofore levied, as to them that shall be levied hereafter. And let the Justices see that such Notes and Fines, as hereafter shall be levied in our Court, be read openly and solemnly, and that in the mean time all Pleas shall cease; and this must be at two certain days in the week, according to the discretion of the Justices.

Fines shall be read in open Court.

II. How Sheriffs shall be charged with Issues.

WE have also ordained, by the advice of our Council, That from henceforth Sheriffs shall not be charged of any Issues to be levied, nor shall levy any before they pass out of the Exchequer, [there to be delivered by the Extreats of the Justices;[5]] and that in the Extreats of Justices every head shall be charged for Issues forfeited, like as of Amerciaments. And if peradventure any Sheriff will answer for the Issues of any Recognisor, Pledge, or Mainpernor, by him [undertaken[6]] and returned into our Court, which at the time of the Return is not able to pay such Issues or Amerciaments, the Sheriff shall be charged, and shall answer therefore in our Exchequer. And let the Sheriffs beware under Pain of great Forfeiture, that from henceforth they do make Tallies (7) of all such Money as they or their Officers have received by our Commandment: and that they do not return any where the Names of any Mainpernors, Jurors, or any other, except such Mainpernors, Jurors, or others, according to the tenour of our Writs being directed to the Sheriffs for the same Cause, be lawfully and manifestly [impanelled[8]] thereupon. And they shall not return the names of any Freemen as Pledges, without that [they will plainly consent and agree to the same.[9]] And hereupon We have enacted, that at one time certain every year, one Baron and one Clerk of our said Exchequer shall be sent through every Shire of England, to inroll the names of all such as have paid that year's Debts exacted on them by green Wax; and the same Baron and Clerk shall view all such Tallies, and inroll them; and shall hear and determine Complaints made against Sheriffs [and their Clerks] and Bailiffs that have done contrary to the Premises, and the Offenders shall be grievously punished.

Sheriffs shall make Tallies of Payments.

Return of Mainpernors, Jurors, and Pledges.

One Baron shall yearly inroll Payments in every County; and hear Complaints against Sheriffs.

III. Justices of Assise shall be also Justices of Gaol-delivery.

[*See Stat. Westm. 1. chap. 15.*]

FORASMUCH as Sheriffs and others heretofore have let out by Replevin common Felons, and openly defamed being taken and imprisoned for Murder and [Felony,[10]] and such as be not replevisable, contrary to the Form of our Statute of Persons replevisable and not replevisable lately made; whereby such Transgressors not replevisable [be let our, and to deliver them[11]] deceitfully, before the coming of the Justices Errant, or other assigned for their Deliverance, [they procure[12]] by themselves and by their Friends Jurors of the Country, and some they threat, whereby as well for fear of the Sheriff, and other that let them at large by Plevin, as for fear of the Thieves (13) being so delivered, before the Justices assigned for Gaol Deliveries such Felonies and Murthers are concealed, and so being concealed, remain still unpunished: We, for the Utility of our Realm, and for the more assured conservation of our Peace, have provided and ordained, that Justices assigned to take Assises in every County

[1] Fines [2] *suborned,* [3] *or*
[4] *upon such Exceptions or Answers,*
[5] *by the Extreats of the Justices, there to be delivered,*
[6] assigned [7] *to every one,*
[8] *summoned* [9] *they have plainly agreed to become Pledges.*
[10] *other Felonies,* [11] *being so replevied, to effect their Deliverance*
[12] *do procure and suborn* [13] *or Felons*

where they do take Assises, as they be appointed, incontinent after the Assises taken, in the Shires, shall remain both together, if they be Lay; and if one of them be a Clerk, then one of the most discreet Knights of the Shire being associate to him that is a Layman, by our Writ shall deliver the Gaols of the Shires, as well within Liberties as without, of all manner of Prisoners, after the form of the Gaol Deliveries of those Shires before time used. And the same Justices shall inquire then, if Sheriffs or any other have let out by Replevin Prisoners not replevisable, or have offended in any thing contrary to the Form of the foresaid Statute lately made at Westminster; and whom they shall find guilty, they shall chasten and punish in all things according to the form of the Statute aforesaid.

Such Justices shall punish Sheriffs offending against Stat. Westm. 1.

IV. Niai Prius shall be granted before one of the Judges of the Court where the Suit is commenced.

ALSO where We have provided, that none shall be impanelled any where out of the Shire where he is dwelling, in Recognizances, Enquests, and Juries, that have less than an hundred shillings of Land [or Rent,] whereby (1) they (2) that have more Lands, by [too often appearing 3] as well in our Exchequer, as before our Justices of either Bench, are much impoverished: We therefore, considering the intolerable Damage of our People, not only for the discharge of such Jurors, but also for the more speedy Ministration of Justice to all parties suing in our Court, have provided and ordained, that Enquests and Recognisances determinable before Justices of either Bench, from henceforth shall be taken in time of Vacation, before any of the Justices before whom the Plea is brought, [being associate with 4] one Knight of the same Shire where such Enquests shall pass, unless it be an Enquest that requireth great Examination: and so from henceforth in taking such Enquests, the Justices shall do as to them shall seem most expedient for the common Utility of our Realm, notwithstanding the Statute lately made at Westminster upon the taking of such Enquests, containing, that if any Enquests be taken contrary to the form of the said Statute, they should be of none Effect.

[*See Stat. Westm.* 2. *chap.* 30.]

And therefore We command you, firmly enjoining, that immediately and without any delay, you do cause to be read and published, in Cities, Boroughs, Market Towns, and other solemn Places through your whole Bailiwick, where it shall seem most expedient to you, all the aforesaid Articles, as those which We have granted and will to be holden and firmly observed in form aforesaid wholly and unshakenly; and that all and singular the above written things you do cause to be made known to all Persons without delay. Witness the King at Westminster, the second day of April.

The like Statute, as far as the words "And therefore We command you," &c. was sent to the under-written; namely;

To the Treasurer and Barons of the Exchequer;

To Roger de Brabazoun and his Companions, Justices assigned to hear and determine the Pleas of the King;

To John de Metingham and his Companions, Justices of the King's Bench, with this Clause: "And therefore We command you, that the aforesaid Charter Ye do cause to be read before you in the Bench aforesaid; and all and singular the aforesaid Articles, as those which We have granted and will to be kept, as far as they concern you and Parties pleading before you, to be wholly and unshakenly observed. Witness the King at Westminster, the second day of April."

1 as well
2 *as those*
3 *too frequent Summonses*
4 *there being associate with him*

assīas put ordinant', statim post assias captas in eisdem Com̄, remaneant ambo si laici fuerint, Et si unus ipoꝝ fuit clicus, tūc associato illi Justic̄ qui laicus est uno de discrecioribꝫ militibꝫ Comitatus illius, p b̄re nr̄m delibent gaolas in Com̄ illis, tam infra libtates q̄ ext', de p'sonibꝫ quibuscumq; sc̄dm form' deliberacionis gaole Com̄ illoꝝ hactenus usitatam. Et idem Justic̄ tunc inquirant, qui vicecomites & alii p'sones aliquos irreplegiabiles p plevinam dimiserunt, vel in aliquo cont' formam statuti p̄dci nup apud Westm̄ editi deliquerunt; et quos inde culpabiles invenīnt, ipos in om̄ibꝫ sc̄dm formam statuti p̄dc̄i puniant, & castigent.

Item cum statuim̄ qd nullus ponat' alicubi ext' Com̄ in inquisic̄oibꝫ, recognic̄oibꝫ & juratis aliquibꝫ, qui min̄ q' centum solidatas t're heat, p quod tam ipi q' plus t're hentes ppt frequentes, tam ad Sc'cm q' coram Justic̄ de utroq; Banco, sūmonic̄oes depaupant': Nos tantam intollerabilem populi nr̄i jacturam advtentes, non solū ad eoꝫdem juratoꝝ exonac̄oem, set ecia ad celerem ptibꝫ in Cur̄ nr̄a placitantibꝫ justiciam exhibendam, statuim̄ & ordinavim̄, qd inquisic̄oes & recognic̄oes, coram Justic̄ de utroq; Banco decet'o adjudicande, capiant' tempore vacac̄ois coram aliquo Justic̄ eoꝫdem, coram quibꝫ placitū deductū fuit, associato illi uno milite Com̄ illius, ubi tales inquisic̄oes emserint, nisi fuit inquisicio magna indigens examinac̄oe: et sic in hujusmodi inquisic̄oibꝫ capiendis decet'o fiat put Justic̄ ad utilitatem regni nr̄i potius esse viderint faciendū; non obstante statuto nup apud Westm̄ sup inquisic̄oibꝫ capiend edito, continente qd si omissa forma in statuto illo ordinata, alique inquisic̄oes capiant', p nullis penit' heant'.

Et ideo tibi p̄cip'm̄ firmit' injungentes qd statim & sine dilone aliqua fac̄ legi & publicari, in Civitatibꝫ Burgis, villis m̄catoriis & locis aliis solempnibꝫ, p totam ballivam tuam, ubi melius videris expedire, om̄es articlos sup'dc̄os ut illos quos concessim̄, ac teneri volum̄, & firmit' observari in forma p̄dc̄a integre & inconcusse; ac om̄ia & singula sup'sc'pta om̄ibꝫ scire fac̄ indilate. [T. R̄ '] apud Westm̄ sc̄do die Aprit (1).

Consimile Statutum, usq; ibi, Et ideo tibi p̄cipimus, &c. missum fuit subsc'ptis, videl.

Thes̄ & Baronibꝫ de Sc'cio.

Rog̾o le Brabanzoun & sociis suis Justic̄ ad plita R̄ audienda & t'minanda assignatis.

Johanni de Metingham & sociis suis [Justic̄ de Banco Reg̃ 3] cum clausula ista: Et ideo vob mandam̄ qd cartam p̄dc̄am coram vob in Banco p̄dc̄o legi, & om̄es & singlos articulos sup'dc̄os, ut illos quos concessim̄ & teneri volum̄, quatenꝰ vos & ptes coram vob plitantes contingunt, integre & inconcusse observari faciatis. T. R̄ apud Westm̄ sc̄do die Aprit.

1 Teste me ipo *L.*
2 Anno regni nr̄i vicesimo septimo. *L.*
3 Interlined on the Roll.

ORDINATIO
DE LIBERTATIBUS PERQUIRENDIS.*

Ex Rot. Claus. 27 Edw. I. m. 14. d.

ꝑ Rege. FAIT asavoir qe le Rois ordena a Westmonster le primer jour Davril, Lan de son regne vint e septisme q̃ ceux qui vouderont purchacer noveal Park, & gentz de Religioun qui vouderont ꝛre ou tenement amortir, eient bref de la Chancelerie, pur enquere selonc les pointz acustumez en tieux choses: e ke les enquestes de ꝛre ou de tenement, qui vaille par an plus de vint souz ꝑ extente, soient retournees al Eseheker, e la se face la fyn pur la mortissement ou pur le Park avoir, si les Enquestes overent pur ceux qui les purchacent: E dilueques soit maunde au Chaunceler ou a son lieu tenant ceo quil endevera faire. E des enquestes faites pur amortir ꝛre ou tenement, qui namountera ꝑ an outre vint souz ꝑ extente, & de vint souz en aual, veut le Roi q̃ celes soient retournees au Chaunceler, ou a son lieu tenaunt, e quil preigne sur ceo renable fyn, selonc la q̃ntite de la chose, & puis les delivre. ¶ En meme la manere soit fait de ceux qui vouderont purchacer terres ou tenementz, qui sont tenuz du Roi en chef. ¶ Item gentz demorauntz la outre qui ont ꝛre ou rente en Engleꝛre, sil voillent purchacer lettres de ꝑteccion, ou de generals attornetz, soient envoietz al Escheker & la facent leur fyn, E dilueques soit maunde au Chaunceller, ou a son lieu tenaunt ceo qil endevera faire. ¶ En meisme la manere soit fait de ceux qui vouderont purchacer feire, marche, garenne, ou autre f̃nchise. ¶ Item ceux qui vouderont purchacer att̃minement de leur dettes, soient envoietz al Escheker. ¶ Item gentz de noun poer a t̃vailler, & gentz des Countez Lointeins de la Chauncelerie, qui pledent, ou sont empledetz, eient bref de la Chauncelerie, a aucun suffisant hõme qui receive les attornez, q̃nt mestier est. ¶ E pur remembrance de ces choses, est cete endenture faite en treis ꝑties, dont la une demort en Chauncelerie. Lautre en Eschekier, & la tierce en Garderobe.

AN ORDINANCE
OF PURCHASING LIBERTIES.*

IT is to be Known, that the King ordained at Westminster the first day of April the seven and twentieth Year of his Reign, that such as would purchase a new Park, and Men of Religion that would amortize Lands or Tenements, should have Writs out of the Chancery to enquire upon the Points accustomed in [all [1]] Things; and that Enquests of Lands or Tenements that be worth yearly more than twenty Shillings, that is to wit, by extent, be returned into the Exchequer, and there to make Fine for the Amortisements, or for the Park having, if the Enquests do pass for him that purchased them: and after it shall be certified unto the Chancellor or his Deputy, ([2]) that he take a reasonable Fine therefore, ([3]) and after make Delivery. Writs of Inquiry on amortising Lands. Fines thereupon.

II. Purchasing Lands holden in chief.

In like manner they shall do, that will purchase Lands, or Tenements holden of the King in chief.

III. Purchasing Protections, or making general Attornies.

Also People dwelling beyond the Sea, that have Lands, [Tenements,] or Rents in England, if they will purchase Letters of Protection, or will make general Attorneys, they shall be sent unto the Exchequer, and there shall make their Fines, and from thence [shall be sent [4]] unto the Chancellor or his Deputy, for that which he ought to do therein.

IV. Purchasing of Liberties, &c.

In like manner they shall do, that will purchase any Fair, Market, Warren, or any other Liberty. Also such as will purchase attermining of their Debts shall be sent into the Exchequer.

V. Attornies of sick Persons, &c.

Also, such as be not able to travel, and People that dwell in far Countries from the Chancery, which plead or be impleaded, shall have a Writ out of the Chancery to some sufficient Man, that shall receive their Attorneys when need is.

And for a Remembrance of these Things, there is an Indenture made, divided into three Parts, whereof one Part remaineth in the Chancery, another in the Exchequer, and the third in the Wardrobe.

[1] such
[2] *what he shall do thercin; And of Inquests made to amortize Land or Tenement which shall not amount by the year beyond twenty shillings by extent, and from twenty shillings downwards, the King willeth that Returns of these be made to the Chancellor or to his Deputy, and*
[3] *according to the Quantity of the Thing,*
[4] *it shall be certified*

* These Titles are from The Old Printed Copies. In Berthelet's Secunda Pars Veterum Statutorum 1532, is a Copy of this Instrument more correct than the Oldest Printed Copies, intituled 'Statutum de terris & ten' amortizandis.'

Statutum de Falsa Moneta.*

A STATUTE CONCERNING FALSE MONEY.

Ex Rot. Stat. in Turr. Lond. m. 37.

EDWARD ꝑ la g̃ce de dieu Roi Engleꝛre Seignur Dirland e Ducs Daquitaine, a Viscunte de Sum̃sete e Dorsete saluz. Pur ceo q̃ nr̃e Roiaume e les autres ꝛres de nr̃e seignurie sunt replenis de div̄se mauveises monees, que sunt appellez Pollardz, et Crokardz, e par autres nons, les queles sunt portees e mys en dit Roiaume, e aillours en nr̃e poer, ꝑ diverse gentz de la outre, e la eiñz despendues div̄sement, a g̃nt dammage de nous, e de tout nr̃e poeple; Nous ꝑ cõmun assentement des Prelatz, des Countes, e des Barouns, de meisme le Roiaume, avoms sur ceo ordene e establi remedye, solonc les articles qe sen suyent.

EDWARD by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitain, to the Sheriff of Somerset and Dorset, Greeting: Whereas our Kingdom and the other Lands of our Sovereignty, are filled with divers bad Monies, known by the names of Pollards and Crockards, and by other names, which are brought and left in the said Kingdom and elsewhere within our Jurisdiction, by divers Persons coming from abroad, and therein diversely dispersed, to the great damage of Us and all our People; We, by the common consent of the Prelates, Earls, and Barons of the same Realm, have thereupon ordained and established a Remedy, according to the Articles following.

* This Title is from the Printed Copies. No Title appears on the Roll.

False Money shall not be imported, under Forfeiture of Life and Goods

First, That from henceforth no man shall bring such Monies into our said Kingdom, nor elsewhere within our Jurisdiction, under the Penalty of losing Life and Goods, and whatsoever else he can forfeit; So always, that all Persons of whatever Country or Nation they be, may safely bring unto our Exchange all sorts of Money of good Silver, of whatever foreign Coin or of whatever value they be, without their being forfeit.

Appointment of Wardens at the Ports to enforce this Act.

And Forasmuch as this Ordinance cannot avail if it be not well maintained; It is ordained, that good and strict watch be kept, in all places upon the Sea Coast, at the Ports, and elsewhere, where there is any coming from Abroad, by good and lawful men sworn; who shall arrest those who bring such or other bad Monies, together with the Monies and every thing belonging to them, and shall send them to him or them who shall have power, on our behalf, to take charge of them. But such power, inasmuch as We are not yet advised what order shall be taken in respect thereof, We have retained unto Ourselves. And concerning the Arrest aforesaid, We will that it be made after this manner; that is to say, that the Commonalty of each Port choose two good and lawful men of the same Port, for whom the Electors will be answerable, who, together with the Bailiffs of the same Port, shall arrest and search, faithfully and without sparing, all those who shall arrive within their Wards, and all that they bring with them; and the Bodies of those, whom they shall find bringing such or other bad Monies, they shall send without delay to our chief Prison of the County wherein they land. And We will and command that the Keeper of the same Prison do detain and safely keep them, until We be informed of the manner of the Fact, and shall therein have made known our Pleasure. And the Money and other Silver, if any there be, the same Wardens ought to send and deliver unto our great Exchange; and for other goods, to charge themselves, and answer at our Exchequer.

Foreign Sterlings shall be delivered to the Wardens;

and examined by the Assayers.

And Moreover, Whereas We have been informed that the good Sterling is counterfeited in foreign Parts with base and false metal, to the greater damage of our Realm aforesaid, We have further ordained, that all who shall bring Sterlings from Abroad into the same Realm, or elsewhere within our Jurisdiction, shall and do deliver the same Sterlings to the said Wardens of the Ports where they shall land; and that the same Wardens, under their seals and the seals of those who bring them, and by the lawful testimony of the good men of the same Ports, shall send them forthwith, to the nearest Assayers, who shall be assigned by us to make the Assay of Money. And the same Wardens shall also send their Bodies with the Money, safely and courteously. And if the Assayers shall find the Money to be good and lawful in weight and in Silver, and in all other things, according to the old standard of England, they shall forthwith free the Persons from Arrest, and deliver them their Money, which they have so brought; and if they be found false, they shall be forfeit, and their Bodies be at our pleasure.

False Money forfeited.

Wools, Tin, &c. shall be sold only for good Silver, &c.

Moreover, It is ordained, that from henceforth none of our Realm, nor within our Jurisdiction, shall sell or barter any Wools, Leather, Woolfells, Lead, or Tin, except for good and lawful Sterlings, or for Silver Plate, assayed and marked at our great Exchange; or in exchange for good and lawful and sufficient Merchandize: And if any doth the contrary, and be thereof attaint by the said Wardens, or by others of our Officers, that the things so sold or bartered shall be forfeit unto Us.

Coin, Silver-Plate, &c. shall not be exported.

Further, It is ordained that no good Money of Silver, of our Coin or any other, nor any Silver in Plate or otherwise, shall go or be carried forth of our Realm, nor out of our Jurisdiction into foreign Parts, without our special Licence,

Primerement q̃ nul desormes teles moneies ne porte en le dit nr̃e Roiaume, ne aillours en nr̃e poer, sur forfeture de vie e des biens, e de q̃nt qil porra forfaire; issint totevoies q̃ totes gentz, de queq̃ r̃re ou de queq̃ pais qil soient, puissent sauvement porter a nr̃e chaunge totes maneres de moneies de bon argent, de q̃ueq̃ coign, de la outre, ou de q̃que value qe eles soient, saunz ceo qe eles soient forfaites. E pur ceo q̃ cest establisement valer ne porra, si bien ne soit mayntenu, ordene est q̃ bone garde e estraite se face en touz les lieuz, sur la costere de la mer, es portz, e aillours, ou nule mañe de arivail est, p̃ bons e loiaux juretz, q̃ ceux qi teles ou autres mauveises moneis porteront, arresteient, ove meismes les moneies, e ove tout ceo qil averont, e q̃ meismes ceux envoient a cely, ou a ceux, qi dep̃ nous poer avera ou averont pur s-myse de eux. Mes cesti poer, pur ceo q̃ no⁹ ne sumes pas uncore avises quele manere de myse no⁹ envoderoms faire, avoms no⁹ retenutz a no⁹ meismes. E voloms q̃nt al arest avantdit, qil se face en cete manere, Cest asavoir, q̃ la cōmunaute de chescun port ellise deux bons e loials hōmes de meismes le port, pur les queux les ellisours vouderont respondre, qi ove les baillifs de meismes le port arrestent e serchent loiaument e saunz desport touz ceuz qui ariveront deinz leur gardes, e tout ceo qil porteront; e les cors de ceux qil troveront, qi teles ou autres mauveises moneies averont portetz, envoient saunz delay a nr̃e chef prison du counte en quel il serront arrivetz. E voloms e comaundoms, q̃ le gardeyn de meisme la prison les reteyne, e sauvement les garde, taunt que no⁹ sacchoms la manere du fait, e q̃ nous eoms sur ceo maunde nr̃e volunte. E la moneye, e autre argent, si luy eit, deyvent meismes les gardeyns envoier e liverer a nr̃e g̃nt chaunge, e des autres biens eux meismes charger, e respoundre a nr̃e escheker. Dautre p̃t pur ceo q̃ nous avoms entendu q̃ len contrefait p̃ de la le bon est̃ling de mauveis e de faus metal, pur plus grant dammage faire a nr̃e Roiaume avantdit, nous avoms ensement ordene, q̃ touz ceuz qui est̃lings porteront de la outre, en meisme le Roiaume, ou aillours en nr̃e poer, deivent bailler, e baillent meismes ceux est̃lings, a ditz gardeins des portz, ou il arriveront; e q̃ meismes ceux gardeins souz leur seaux, e souz les seaux de ceux qi les porteront, e p̃ bon tesmoignage des bones gentz de meismes les portz, les envoient tauntost a p̃cheyns assaiours qi assignetz s̃ront dep̃ nous pur le asay faire de la moneye. E deyvent meismes les gardeyns envoier les cors ove les deners, sauvement e en curteise manere. E si les assaiours troussent les deners bons e loiaux en pois, e en argent, e en totes autres choses, solonc le veil estandard Dengle t̃re, mayntenaunt desarrestent les cors, e leur deliverent les deners qil averont ensint portetz; e si fauses soient troves, forfaitz soient, e les cors a nr̃e volunte. Derechef ordene est q̃ nuls desormes de nr̃e Roiaume, ne de nr̃e poer, ne vende ne lesse laines, ne quirs, ne peaux, ne plum, ne estaim, forke pur bons e loiaux est̃lings, ou pur plate de argent assaie e merche a nr̃e g̃nt chaunge, ou en eschaunge de bone, de loiale, e de suffisant marchaundize; E si nul le fait autrement, e de ceo soit atteynt, p̃ les ditz gardeyns ou p̃ autres de nos ministres, qe les choses issint vendues, ou lessees, nous soient forfaites. Uncore est ordene q̃ nule bone moneye de argent, de nr̃e coign ne de autri, ne nul argent en plate ne en autre manere, ne isse, ne porte ne soit hors de nr̃e Roiaume, ne hors de nr̃e poer en les p̃ties de la outre, saunz especiale conge de nous,

sur la peyne desusdite. Et a cete chose garder, ensemblement ove les autres pointz avantditz, deyvent meismes les gardeyns mettre diligence e peine en totes les bones maneres qil porront. E ceux meismes gardeyns, avant q̃ il receivent la garde avandite, deyvent jurer devant les Viscuntes, ou devant leur chefs gardeyns la ou il ne sunt a Viscuntes responantz, q̃ il feront e tenderont loiaument, e saunz nule Lascheste, tant com en eux est, tut ce qe a cete garde apartient, selonc la forme avantdite. E sil facent reles ou desport a nuly, pur doun, ou pur favour, ou en aucune autre manere, e de ceo soient atteynt, qil soient en forfaiture de vie, e de q°nt qil ount. Derechef, com ordene soit qil yeit table a Dovre e aliours ou nous ordeneroms passages c̃teyns, pur chaunger despens necesseires as alanz e as venantz, si avoms ja assigne Johan Bellard, Johan Galeys, e leur compaignons a tenir table a Dovre de p no° de totes maneres de moneies. E voloms q̃ il facent iloeques chaunge, pur despens necesseires as alauntz la outre, e as venaunz de dela, par vewe e tesmoignaunce de countrerolleour qe no° y metteroms; E q̃ totes gentz qe venderont de la outre, portaunz moneie qe curt en poer le Roi de F'nce, portent meisme la moneie a la dite table, e illoeques receyvent al avenaunt de la moneie q̃ curt en nr̃e roiaume. E sil soient trove nule p̃t aliours, ove tiele moneie, q̃ meisme la moneie no° soit forfaite, e le forfait tourne a la dite table a nostre oes.

Pur quoi no° vous mandoms fermement enjoignantz, q̃ mayntenaunt vewes cetes lettres, touz les articles e pointz avanditz facetz crier e publier, en Cites, e Burghs, Viles marchaundes, Portz, e touz autres lieux p̃my vr̃e ballie, la ou v° verretz q̃ soit afaire; E Gardeyns establir, e jurer e cete nr̃e ordenaunce tenir e garder, en la forme desusdite, sur les peynes en meismes cete forme contenues. Do̅n a Stebenheth̃ le quinzime jour de May, Lan de nr̃e regne vint septisme.

Auteles lettres sunt envoies a toutz les Viscuntes Dengleṫre e as autres suzescritz, cest asavoir.

A Rob̃t de Burghàssh̃, Gardeyn de Cink Portz.
A Gardeyn de Berewyk.
A Reynaud de Grey, Justice de Cestre.
A Johan Wogan, Justice Dirlaund.
A Waut̃ de Pedertoñ, Justice de Northgales.
A Johan de Haṽing, Justice de Westgales.
A Otes de Graunzon, Gardeyn des Isles de Gerneseye e Jereseye, ou a son lieutenaunt.

Auteles lettres sunt envoies a touz les feaux baillifs, e ministres le Roi, as quieux cetes lettres venderont, ove la conclusion qe sen suyt. Pur quoi nous vo° maundoms fermement enjoignauntz qe, maintenaunt vewes cetes lettres, touz les articles e pointz avantditz facet chescun de vous en sa baillie crier e publier; e solonc ceo qe a vous e a chescun de vous apent tenir e garder, sur les peynes en la dite fourme contenues. E procheinement enverroms p̃ tout nr̃e roiaume nos lettres pleinerement sur les choses avantdites. Do̅n ut supra.

Auteles lettres sont envoies au Tresorer e as Barons del Escheker ove la conclusion qe sen suyt. Pur quoi no° vo° mandoms qe touz les Articles e pointz avantditz facetz tenir e garder, sur les peines en la dite forme contenues. Do̅n sicom a desus.

under the Pain abovesaid. And for the due Observance of this Matter, together with the other Points aforesaid, the same Wardens shall use their diligence and labour by all proper means in their power. And the same Wardens before they receive their charge aforesaid, ought to make Oath before the Sheriffs, or before their chief Wardens in places where they are not answerable to the Sheriffs, that they will do and observe faithfully and without any neglect, as much as in them lieth, all that belongeth to their charge, according to the Form aforesaid. And if they release or spare any man for Gift or Favour, or in any other manner, and be thereof attaint, they shall incur the forfeiture of Life, and of all that they possess.

Oath of Wardens.

Moreover as it hath been ordained, that there should be a Table at Dover and elsewhere, where We shall direct the constant passing to be, for giving change for the necessary expences of those who go and come; We have therefore assigned John Bellard, John Galeys, and their Companions, to keep the Table at Dover on our behalf for all sorts of Monies. And We will that they do there give change for necessary expences, to those who are going Abroad, and to those who are coming from thence, by the view and testimony of the Controller, whom We shall place there; and that all Persons who shall come from Abroad, bringing with them Money current within the Jurisdiction of the King of France, shall take the same Money to the said Table, and shall there receive to the amount, in Money current within our Realm. And if they be found in any other place with such Money, that the same Money shall be forfeit unto Us, and the Forfeiture shall be sent to the said Table for our use.

Exchange Tables at Dover, &c.

Wherefore We command you firmly enjoining, that forthwith upon sight of these letters, all the Articles and Points aforesaid you do cause to be proclaimed and published in Cities and Boroughs, Market Towns, Ports, and all other Places throughout your Bailiwick, where you shall think it meet to be done; and Wardens to be appointed and sworn, and this our Ordinance to be kept and observed in the Form abovesaid, under the Pains in the same Form contained. Given at Stepney the Fifteenth day of May in the Twenty-seventh Year of our Reign.

Like Letters are sent to all the Sheriffs of England, and to the others under written; that is to say,

To Robert de Burghersh, Warden of the Cinque Ports.
To the Warden of Berwick.
To Reginald de Grey, Justice of Chester.
To John Wogan, Justice of Ireland.
To Walter de Pederton, Justice of North Wales.
To John de Havering, Justice of West Wales.
To Otes de Grandison, Warden of the Isles of Guernsey and Jersey, or to his Lieutenant.

Like Letters are sent to all the King's liege Bailiffs and Officers, to whom these Letters shall come, with the Conclusion following. "Wherefore We command you firmly enjoining, that forthwith upon sight of these Letters, all the Articles and Points aforesaid each of you in his Bailiwick, do cause to be proclaimed and published; and to be kept and observed, according to that which to you and each of you belongeth, under the Pains in Form aforesaid contained. And We will speedily send throughout our Realm our Letters fully upon the matters aforesaid." Given as above.

Like Letters are sent to the Treasurer and Barons of the Exchequer, with the Conclusion following. "Wherefore We command you, that all the Articles and Points aforesaid you do cause to be kept and observed, under the Pains in Form aforesaid contained." Given as above.

THE King to the Sheriff of Westmorland, Greeting. Whereas We have of late established that no Man shall bring into our Kingdom, nor elsewhere within our Jurisdiction, any bad Monies, as Pollards and Crockards, and other like Monies which are called by divers names, under the Penalty of losing Life and Goods, and whatsoever else he can forfeit; And We have since newly ordained and established, inasmuch as it would be a grievous thing that People, Strangers and of foreign Countries, who knew nothing of that Ordinance, should be by the same so grievously and so soon punished and bound, that the said Penalty of Life should be respited until the Feast of Saint John Baptist next coming, and from the Feast of Saint John thenceforth that all Merchants who should bring in bad Monies into our Kingdom, or elsewhere within our Jurisdiction, should incur the Penalty contained in the Ordinance aforesaid: And Messengers and Pilgrims who bring no Money but merely for their Expences, shall be sent to the Exchange without incurring the Forfeiture. And that none bring Sterlings from abroad, nor any other manner of Money, but such as shall send the Sterlings or other manner of Money to the Exchange to be changed. And whoever, contrary to the Ordinance proclaimed, shall bring them openly or secretly, and be found with Sterlings or with other manner of Money upon the Sea, his Goods shall be forfeited to Us and his Body taken and ransomed at the King's Will: Wherefore We command you, that the Ordinance aforesaid, with this new Addition, throughout your Bailiwick you do cause to be kept and observed. Given at Canterbury, the Twenty-eighth day of May.

Like Letters are sent to all the Sheriffs of England, and to the others under written, that is to say;

To Robert de Burghershe, Warden of the Cinque Ports.

To Philip de Verley, Warden of Berwick.

To Reginald de Grey, Justice of Chester.

To John Wogan, Justice of Ireland, or his Lieutenant.

To Walter de Pederton, Justice of North Wales.

To John de Havering, Justice of West Wales.

To Otes de Grandison, Warden of the Isles of Guernsey and Jersey, or to his Lieutenant.

To the Treasurer and Barons of the Exchequer, with the Conclusion following: "Wherefore We command you, that the Ordinance aforesaid, with this new Addition, you do cause to be kept and observed." Given as above.

THE King to the Sheriffs of London, Greeting. Whereas of late by Us and our Council It was ordained, That Wools, Leather, Woolfells, Lead, or Tin, should not be bartered or any way sold unless for good Sterlings or other lawful Merchandize, as in the Statute thereon made is more fully contained: Wherefore We have before commanded you by our Letters, that in the several places within your Bailiwick ye should depute certain and lawful Wardens for the keeping the Statute aforesaid in all its Articles: And now We have understood that Wools and other Merchandize aforesaid are commonly bartered and sold for Pollards and Crockards, and other like Money, contrary to the Form of the Statute aforesaid, to the grievous damage of the People of our Realm; We command you, firmly enjoining, that Ye do so carefully and circumspectly provide, that the said Wardens by you so deputed, the said Statute in its several Articles do well and faithfully keep and observe, that We may not have matter or occasion for grievously punishing you for their defect or your own therein. Also We command you, that all Wools and other things incurred and forfeited to Us, according to the Form of the Statute aforesaid, without any delay, to the Collectors of our Custom on Wools in the City aforesaid, well and faithfully Ye do cause to be delivered by Indenture between you and them thereupon to be thereof made:

LE Roy al Vescont de Westmerland, saluz. Come no⁹ eussoms niad geres establi q̃ nules gentz apor- M. 36.
tassent en nr̃e Roiaume ne aillours en nr̃e poer nules moneies mauveises, come Pollardz e Crokardz, ne autres semblables monoies q̃ par divers noūs sont appellez, sur forfeture de vie e des biens e de q̃ntqil purront forfaire; e eioms puis de novel ordene e establi, q̃ pur coe q̃ greve chose serroit, q̃ gentz estranges e de estrange pais, q̃ rien ne ensavoient de cel establissement, fuissent par coe si grevement e si tost puniz e liez, q̃ la dite peine de vie soit respite, tant q̃ a la Feste Seint Johan le Baptist ꝑchein avenir, e de la Seint Johan enavant q̃ touz Marchandz qi aportereront maveises monoies en nr̃e Roiaume, ou aillours en nr̃e poer, encurgent la peine contenue en lestablissement desusdite. E Messagiers e Peleryns q̃ ne porterent fors simplement leur despens soient mis au change saunz encourre la forfaiture. E q̃ nul les esterlings enporte pardela, ne nule autre maniere dargent, mes qi esterlings ou autre manere dargent avera voise au change pur changer. E qi encuntre lestablissement crie les portera, overtement ou celeement, e soit trove ove les esterlings ou ove autre maniere dargent sur mer, soit laver forfait a nous, e le corps pris e reint a la volente le Roy. Por quoi no⁹ vous cōmandoms q̃ lestablissement avantdit, ove cest novel ajustement, par tote vr̃e baillie facez tenir e gardir. Donez a Canterbiry le xxviij. jour de Ma'.

Auteles Lettres sont envoiez as tretouz les Vescontz Dengleṫre, e as autres de souz escrites; Cest assavoir.

A Roḃt de Burghersshe, Gardeyn des Portz.

A Phelip de Verley, Gardeyn de Berewyk.

A Reynaud de Grey, Justice de Cestr̃.

A Johan Wogan, Justice de Dirland, ou a sun lieu tenant.

A Wauter de Pederton, Justice de Northgales.

A Johan de Haṽing, Justice de Westwales.

A Otes de Grantzson Gardeyn des Isles de Gereseye & Jereseye, ou a son lieutenant.

A Tresorer e as Barons del Escheker, ove la conclusion qe sensuit. Pur quoi no⁹ vo⁹ cōmandoms qe lestablissement avandit, ove cest novel ajustement, facez tenir e garder. Doñ sicom a desus.

Ꝑ Vicecomitibꝫ Londoñ saltm. Cum nup ꝑ nos & consiliū nr̃m ordinatum fuisset qd̃ lane, coria, pelles lanute, plumbum & stagmen nō dimitṫent' seu quomodolibet venderent' nisi ꝑ bonis sṫlingis seu aliis m̃candisis legalibꝫ, ꝑut in statuto inde edito plenius continet', ꝑ quod voḃ alias ꝑ tr̃as nr̃as mandavim⁹ qd̃ vos, in sing̃ locis infra ballivam vr̃am, ḋctos & legales custodes deputaretis, ꝑ statuto ꝑdc̃o in singlis suis articlis conservando; ac jam intelleẋim⁹ qd̃ lane, & alie m̃candise antedc̃e, comuniṫ dimisse & vendite sunt ꝑ Pollardis & Crokardis, ac alia cōsimili moneta, cont̃a formam statuti ꝑdc̃i, ad g̃ve dampnū populi regni nr̃i, voḃ ꝑcipim⁹ firmiṫ injungentes, qd̃ ita caute & circumspecte ꝓvideatis, qd̃ dc̃i Custodes, ꝑ vos sic deputati, statutū ꝑdc̃m in singlis suis articulis bene & fideliṫ teneant & conservent, Ne maṫiam seu occc̃onem ħeamus vos ob eoꝝ defc̃m, seu vr̃m in hoc, g̃viṫ puniendi. Precipim⁹ eciam voḃ, qd̃ om̃es lanas, & res alias, noḃ incursas & forisfc̃as sc̃dm formam statuti ꝑdc̃i, sine dilōne aliqua collectoribꝫ custume nr̃e lanaꝝ, in Civitate ꝑdc̃a, bene & fideliṫ liberari faciatis, ꝑ indenturam inṫ vos & iꝑos sup hoc hinc inde

faciendam. Proviso qđ istud negociū ita fideliꝰ & circumspecte exequamini, qđ nullus indebite ꝑ vos ꝑgᵃvetʳ, aut alicui ꝑcatʳ gr̃a vel favore qui cōmiserit in hac ꝑte contᵃ formam statuti supᵃdc̃i: Mandavimꝰ enim eisdem collectoribꝫ, qđ lanas & res illas, quas eis ut ꝑdc̃m est liƀaꝰitis, a voƀ recipiant & indenturam inde faciant in forma ꝑdc̃a: Et ꝑvideatis qđ indenturas ꝑdc̃as, ꝑ vos ut ꝑdc̃m est faciendas, ħeatis suꝑ ꝑfrum vr̃m ad Scᵃcm nr̃m, in Crastino Sc̃i Micħis ad ꝯtificandū Thes̃ & Barones nr̃os de eodem Scᵃcio quid feꝯitis in ꝑmissis. Et ħeatis ibi hoc br̃e. T. ℞. apud Gildeford xxiii. die Augusti.

ꝑ ip̃m Regem & Consiliū.

℞ Collectoribꝫ custume sue lanaꝝ in Civitate Londoñ, saltm. Cum nuꝑ ꝑ nos & consiliū nr̃m ordinatum fuisset, qđ lane, coria, pelles lanute, plumbum & stagmen nō dimitꝰentʳ seu quomodolibet venderentʳ, nisi ꝑ bonis sterlingis seu aliis m̃candisis legalibꝫ, ꝑut in statuto inde edito plenius continetʳ; ꝑ quod viceᵇᶻ nr̃is Londoñ ꝑ lr̃as nr̃as mandavimꝰ qđ ip̃i in singulis locis infra ballivam suam ꝯtos & leg̃ custodes deputarent ꝑ statuto ꝑdc̃o in singłis suis articłis conservando; ac jam intellex̃imꝰ qđ lane, & alie m̃candise ꝑdc̃e, cōiꝰ dimisse & vendite sunt ꝑ Pollardis & Crokardis, & alia consimili moneta, contᵃ formam statuti ꝑdc̃i, ad gᵃve dampnū populi regni nr̃i; ꝑ quod vicecomitibꝫ nr̃is Londoñ ꝑcepimꝰ qđ ita caute & circumspecte ꝑvideant qđ dc̃i custodes, ꝑ ip̃os vicecomites sic deputati, statutū ꝑdc̃m in singłis suis articłis bene & fideliꝰ teneant & conservent, ne maꝯiam seu occ̃onem ħeamus ip̃os vicecomites ob eoꝝ defc̃m, seu custodū ꝑdc̃oꝝ, in hoc gᵃviꝰ puniendi: et eisdem Viceco^bz similiꝰ ꝑcepimꝰ qđ om̃es lanas & res alias, noƀ in balliva sua incursas & forisfc̃as, sc̃đm formam Statuti ꝑdc̃i, voƀ ad opus nr̃m, sine dilōne aliqua, bene & fideliꝰ liberari faciant, ꝑ indenturam inꝰ ip̃os & vos suꝑ hoc hinc inde faciendam; voƀ ꝑcipimꝰ qđ lanas, & res alias, quas voƀ ut ꝑdc̃m est liberaꝰint, ab eis recipiatis, & indenturam inde inꝰ vos faciatis in forma ꝑdc̃a: Et ꝑvideatis qđ indenturas illas, sic ꝑ vos faciendas, ħeatis in Crastino Sc̃i Micħis ꝑximo futuro ad Scᵃcm nr̃m, ad ꝯtificandū Thes̃ & Barones nr̃os de eodem Scᵃc̃io quid feꝯitis in ꝑmissis. Et ħeatis ibi hoc ƀre. T. R. apud Gildeford xxiij. die Augꝰti.

ꝑ ip̃m ℞ & cons̃.

Provided that Ye do so faithfully and circumspectly execute this business, that none be unduly troubled by you, and that none be spared by grace or favour, who shall have done any thing in this behalf against the Form of the Statute aforesaid: For We have commanded the said Collectors, that the Wools and those things, which to them as is aforesaid Ye shall have delivered, from you they shall receive, and an Indenture thereof shall make in Form aforesaid: And provide that the Indentures aforesaid, by you as is aforesaid made, Ye do have at your Profer at our Exchequer on the Morrow of Saint Michael, to certify our Treasurer and Barons of the said Exchequer what ye shall have done in the premises; and have there this Writ. Witness the King at Gildeford, the Twenty-third day of August. By the King himself and Council.

THE King to the Collectors of his Custom on Wools, in the City of London, Greeting. Whereas of late by Us and our Council It was ordained, That Wools, Leather, Woolfells, Lead, or Tin, should not be bartered or any way sold unless for good Sterlings or other lawful Merchandize, as in the Statute thereon made is more fully contained; Wherefore We have commanded our Sheriffs of London by our Letters that they, in the several places within their Bailiwick, should depute certain and lawful Wardens for the keeping the Statute aforesaid in all its Articles: And now We have understood that Wools and other Merchandize aforesaid are commonly bartered and sold for Pollards and Crockards, and other like Money, contrary to the Form of the Statute aforesaid, to the grievous damage of the People of our Realm: Wherefore We have commanded our Sheriffs of London that they do so carefully and circumspectly provide that the said Wardens, by them the said Sheriffs so deputed, the Statute aforesaid in its several Articles do well and faithfully keep and observe, that We may not have matter or occasion for grievously punishing them the said Sheriffs, for their own default, or that of the Wardens aforesaid therein: And We have in like manner commanded the said Sheriffs, that all Wools and other things in their Bailiwick incurred and forfeited to Us according to the form of the Statute aforesaid, to you for our use, without any delay, they shall well and faithfully cause to be delivered, by Indenture between them and you thereupon to be thereof made; We do command you that the Wools and other things, which to you as is aforesaid they shall have delivered, from them Ye do receive, and an Indenture thereof between you Ye do make in form aforesaid: And provide that the Indentures aforesaid so by you to be made, Ye do have on the Morrow of St. Michael next coming at our Exchequer, to certify our Treasurer and Barons of the said Exchequer what ye shall have done in the Premises. And have there this Writ. Witness the King at Gildeford, the twenty-third day of August. By the King Himself and Council.*

* On *Rot. Claus.* 28 *Edw. I. m.* 1.13 *d*, are entered several Writs or Letters directed to the Collectors of the Customs, and others, in various Ports of the Kingdom, for the Observance and Execution of the Statute. A long Space is left on *m.* 36, of the Statute Roll, probably for the Entry of similar Writs or Letters.

Anno 28° EDWARDI, I. A.D.1300.

Articuli super Cartas.

ARTICLES UPON THE CHARTERS.*

FORASMUCH as the Articles of the Great Charter of Liberties, and of the Charter of the Forest, the which King Henry, Father of the King that now is, granted to his People, for the weal of his Realm, have not been heretofore observed ne kept, because there was no Punishment [executed upon [1]] them which offended against the points of the Charters before mentioned; Our Lord the King hath again granted, renewed, and confirmed them, ([2]) at the request of his Prelates, Earls, and Barons, assembled in his Parliament holden at Westminster, ([3]) the eight and twentieth year of his Reign, [and hath ordained, enacted, and established certain Articles [4]] against all them that offend contrary to the points of the said Charters, or any part of them, [or that in anywise transgress them,[5]] in the Form that ensueth:

I. Confirmation of the Great Charter, and the Charter of the Forest.

That is to say, That from henceforth the Great Charter of the Liberties of England, granted to all the Commonalty of the Realm, and the Charter of the Forest, in like manner granted, shall be observed, kept, and maintained *in* ([6]) every point, in as ample wise as the King hath granted, renewed, and confirmed them by his Charter. And that the Charters be delivered to every Sheriff of England under the King's Seal, to be read four times in the year before the People in the full County; that is to wit, the next County day after the Feast of Saint Michael, and the next County day after Christmas, and at the next County after Easter, and at the next County after the Feast of Saint John. And for these two Charters to be firmly observed in every Point and Article, where before no Remedy was at the Common Law, there shall be chosen in every Shire Court, by the Commonalty of the same Shire, three substantial Men, Knights, or other lawful, wise, and well disposed Persons, which shall be Justices sworn and assigned by the King's Letters Patents under the Great Seal, to hear and determine without any other Writ, but only their Commission, such Plaints as shall be made upon all those that commit or offend against any point contained in the foresaid Charters, in the Shires where they be assigned, as well within Franchises as without, and as well [for [7]] the King's Officers out of their places, as [for [7]] other; and to hear the Plaints from day to day without any delay, and to determine them, without allowing the delays which be allowed by the Common Law. And the same Knights shall have power to punish all such as shall be attainted of any Trespass done contrary to any Point of the foresaid Charters, where no Remedy was before by the Common Law, as before is said, by Imprisonment, or by Ransom, or by Amerciament, according to the Trespass.

Commissioners to enquire of Offences done contrary to the Charters.

[1] *established for* [2] *and* [3] *in Lent*
[4] *hath ordained and established a certain Form and Punishment*
[5] *in any wise,* [6] *every Article and*
[7] of

Ex magno Rot. Stat. in Turr. Lond. m. 35.

PUR ceo q̃ les poyntz de la grant Chartre des Franchises & la Chartre de la Forest, les quieus le Roy Henri, pere le Roi q̃ ore est granta a soen poeple pur le pru de soen Roiaume, ne unt pas este tenuz ne gardez avant ces heures, pur ceo q̃ peyne ne fust avant establie en les trespassours contre les poyntz des chartres avantdites; nostre seigneur le Roi les ad de novel grante, renovele, e conferme; Et a la requeste des ꝑlats Contes & Barouns, en soen parlement a Westmonster, en quaremme lan de soen regne vynt & utisme, ad ꝑteine fourme & peyne ordene e establi, encontre tuz iceaus q̃ contre les poyntz des avantdites chartres, ou nul poynt de eles, en nul manere vendront, en la fourme qe sensuit: Cest asavoir, q̃ de ci enavant la Grant Chartre des franchises Dengleterre, grantee a tote la cõmune Dengleterre, e la Chartre de la Forest en meisme la manere grantee, soient tenues, gardees, e meintenues, en chescun article, & chescun poynt, ausi pleynement come le Roi lad grante, renovele, & par sa chartre conferme. E q̃ celes chartres soient baillees a chescun Visconte Dengleṫre, desoutz le seal le Roi, a lire quatre foiz ꝑ an, devant le poeple en plein Conte; Cest asavoir a ꝑchein Conte apres la Seint Michel, al ꝑchein Conte apres le Noel, al ꝑchein Conte apres la Pasqe, & al ꝑchein Conte apres la Seint Johan. Et a celes deus chartres, en chescun poynt, & en chescun article de eles, fermement tenir, ou remedie ne fust avant ꝑ la cõmune ley, soient esluz en chescun Conte, ꝑ la cõmune de meisme le Conte, trois ꝑdeshõmes, chivaliers ou autres loiaux, sages, & avises, qui soient Justices jures & assignes par les lettres le Roi overtes, de soen grant seal, de oyr & deṫminer, santz autre bref q̃ leur cõmun garant, les pleintes q̃ se ferront de touz iceaus q̃ vendront ou mesprendront, en nul des ditz poyntz des avantdites chartres, es Contetz ou il sont assignez, ausibien dedenz franchises come dehors, ausibien des ministres le Roi hors de leur places come des autres; Et les pleintes oyes, de jour en jour santz delay les tminent, sanz alluer les delais q̃ sont allues ꝑ cõmune ley. E q̃ meismes ceaus chivaliers eient poer de punir touz ceaus q̃ serront atteintz de trespas fait encontre nul point des chartres avantdites, ou remedie ne fust avant ꝑ cõmune ley, ausi come avant est dit, ꝑ enprisonement, ou ꝑ ranceoun ou ꝑ amṁciement, selonc ceo q̃ le trespas le demande.

* These Titles are from the Printed Copies; No Title appears upon the Roll. In the Archives of Durham Cathedral is preserved an Exemplification of this Statute, which agrees with the Entry on the Statute Roll.

Et p ceo nentent pas le Roi, ne nul de ceaux q̃ fust a cest ordenement fere, q̃ les chivaliers avantditz tiegnent nul play, par le poer q̃ done leur serra, en cas ou avant ces houres fust remedie purveu, solonc la cõmune lay p bref, ne q̃ p̃judice ensoit fet a la cõmune ley, ne a les chartres avantdites en nul de leur pointz. E voet le Roi, q̃ si touz treis ne soient p̃sentz, ou ne purront as totes les foiz entendre afaire leur office en la fourme avantdite, q̃ deus des trois le facent. E ordene est q̃ les Viscontes e les Baillifs le Roi soient entendantz as les comandementz des avantdites Justices, en quantq̃ apent a leur office. E estre cestes choses grantees sur les pointz des chartres avantdites, le Roi de sa grace especiale, en aleggeance des grevances q̃ soen pople ad eu par les guerres q̃ unt este, & en amendement de leur estat, e pur taunt qil soient plus prestz a soen s̃vice, & plus volentiers aidantz quant il enavera afere, ad grante ascuns articles, les quieus il entent qi tendront ausi grant lieu a son poeple, & ausi grant p̃fist ferront, ou plus, q̃ les pointz avant grantes.

Emprimechief, pur ceo q̃ une grant grevance est en cest Roiaume, & damage sanz noumbre, de ceo q̃ le Roi & ses Ministres de sa meignee, ausibien les aliens come les denzeyns, fount leur prises la ou il passent p mi le Roiaume, & p̃nent les biens de gentz, des clers & des lays, sanz rien paer, ou bien meins q̃ la value: Ordene est q̃ de ci en avant nul ne preigne prises p mi le Roiaume, fors q̃ les p̃nours le Roi & ses purveours pur lostel le Roi. E q̃ ceus p̃nours le Roi, & purveours pur soen Hostel, ne preignent riens fors qe pur meisme lostel. E des prises quil ferront p mi les pais, demanger ou deboyure, & autres menuz necessaries pur lostel, qil facent la paye ou gre a ceus des queus les choses serront prises. E q̃ touz tieus p̃nours le Roi, purveours ou achatours, eient de ci en avant leur garant ovesqes eus, du grant seal ou de petit seal le Roi, contenant leur poer & les choses dount il frount prises ou purveaunce; le quel garant il mustreront as ceus des quieus il frount la prise, avant ceo qil enpreignent rien. E q̃ ceus p̃nours, purveours, ou achatours le Roi, ne preignent plus q̃ busoigne & mester ne seit pur le Roi & soen hostel e de ses enfantz. E q̃ riens ne preignent pur ceus q̃ sont a gages, ne pur nul autre. E qil respoignent, en lostel & en le garderobe, pleinement des totes leur prises, sanz fere ailleours leur largesces ou liverees de chose q̃ pur le Roi soit prise. E si nul p̃nour de lostel le Roi, p garant qil eit, face prises ou liverees en autre manere q̃ desus nest dit, p pleinte fete al Seneschal & al Tresourer del Hostel le Roi soit la verite enquise. E si de ceo soit atteint, soit gre meintenant fait au pleintif & soit hoste du s̃vice le Roi pur touz jours, & demoerge en prison a la volente le Roi. E si nul face prises santz garant, & lemport encountre la volunte de celui a q̃ les biens sont, soit meintenant arestu par la ville ou la prise serra fete, & mene a la p̃cheine gaole; E si de ceo soit atteint, soit la fait de lui come de larroun, si la quantite des biens le demande. E quant as prises fere, en feires, & en bones villes, & portz, pur la grant garderobe le Roi, eient les p̃nours leur cõmun garant p le grant seal. E des choses qil prendront, eient la testmoignance du seal du gardein de la garderobe; & des choses issint p eus prises, de noumbre, de quantite, &

Nevertheless the King, nor none of those that made this Ordinance intend, that by virtue hereof any of the foresaid Knights shall hold any Plea by the power which shall be given them, in such case where there hath been Remedy provided in times passed, after the course of the Common Law by Writ; nor also that any prejudice should be done to the Common Law, nor to the Charters aforesaid in any Point. And the King willeth, that if all Three be not present, or cannot at all times attend to do their office in form aforesaid, that Two of them shall do it. And It is Ordained, that the King's Sheriffs and Bailiffs shall be attendant to do the commandments of the foresaid Justices, as far forth as appertaineth unto their Offices. And besides these things granted upon the Articles of the Charters aforesaid, the King of his special Grace, for redress of the Grievances that his People hath sustained by reason of his Wars, and for the amendment of their Estate, and to the intent that they may be the more ready to do him service, and the more willing to assist and aid him in time of need, hath granted certain Articles, the which he supposeth shall not only be (1) observed of his liege People, but also shall be as much profitable, or more, than the Articles heretofore granted.

Officers shall be attendant upon the Commissioners.

II. Purveyors.

[Secondarily;[2]] Forasmuch as there is a great Grievance in this Realm, and damage without Measure, for that the King and the Ministers of his House, as well [of Aliens[3]] as Denizens, do make [great Prises[4]] where they pass through the Realm, and take the goods as well of Clerks as of Lay People, without paying therefore any thing, or else much less than the value: It is Ordained, that from henceforth none [do take any such Prises[5]] within the Realm, but only the King's Takers, and the Purveyors for his House; and that the King's Takers and Purveyors of his House shall take nothing, but only for his House. And touching such things as they shall take in the Country, of meat and drink, and such other mean things necessary for the House, they shall pay or make agreement with them of whom the things shall be taken. And that all (6) the King's Takers, Purveyors, or [Catours,[7]] from henceforth shall have their Warrant with them, under the King's great or petty Seal, declaring their authority, and the things whereof they have power to make Prise or Purveyance; the which Warrant they shall shew unto them whose goods they take, before they take any thing. And that those Takers, Purveyors, or [Catours[7]] for the King, shall take no more than is needful or meet to be used for the King, his Houshold, and (8) his Children. And that they shall not take any thing for them that be [in Wages[9]] nor for any other. And that they shall make full answer in the King's House, or in the Wardrobe, for all things taken by them, without making their largesses any other where, or liveries of such things as [they have[10]] taken for the King. And if any Taker for the King's House, by reason of his Warrant, make any Prise or Livery, otherwise than before is mentioned, upon complaint made to the Steward and to the Treasurer of the King's House, the truth shall be enquired. And if he be attainted thereof, he shall forthwith [make agreement with[11]] the Party, and shall be put out of the King's Service for ever, and shall remain in Prison at the King's pleasure. And if any make Prise without Warrant, and carry it away against the will of the Owner, he shall immediately be arrested by the Town where the Prise was made, and shall be committed to the next Gaol; and if he be attainted thereupon, it shall be done unto him as unto a Felon, if the quantity of the Goods do so require. And concerning Prises made in Fairs, and good Towns, and in Ports for the King's great Wardrobe, the Takers shall have their common Warrant under the Great Seal. And for the things that they shall take, it shall be testified under the Seal of the Keeper of the Wardrobe; and of those things [that they have taken,[12]] the number of the things,

What they shall take.

Payment thereof.

Purveyors to shew their Warrant;

to take no more than is needful;

to answer for Things taken.

Punishment for undue Purveyance,

Taking without Warrant, Felony.

Purveyances made for the King's Wardrobe.

[1] *as much*
[2] *In the first place,*
[3] Aliens
[4] their Takings
[5] do make any Takings
[6] such
[7] Buyers
[8] *that of*
[9] at Wages
[10] *have been*
[11] satisfy
[12] *so by them taken*

the quantity, and the value, [shall be specified in a Divident made[1]] between the Takers and the Keepers of Fairs, Mayors, or chief Bailiffs of Towns and Ports, by the view of Merchants, whose Goods shall be so taken; and they shall not be suffered to take any more than is contained in their Divident; and the said Divident shall be taken into the Wardrobe under the Seal of the Warden, Mayor, or Chief Bailiff aforesaid, and there shall remain until the accompt of the Keeper of the King's Wardrobe: And if it be found, that any hath taken otherwise than he ought to do, upon his accompt he shall be punished by the Keeper of the King's Wardrobe after his desert; and if any make such Prises without Warrant, and be attainted thereupon, he shall incur the same Pain as they which take Prises for the King's House without Warrant, as before is said.

Saving as to antient Prises.

Nevertheless the King and his Council do not intend, by reason of this Estatute, to diminish the King's Right, for the ancient Prises due and accustomed, as of Wines and other Goods, but that his Right shall be saved unto him whole in all Points.

III. Of what Things only the Steward and Marshal of the King's House shall hold Plea.

CONCERNING the Authority of [Stewards[2]] and Marshals, and of such Pleas as they may hold, and in what manner, It is ordained, that from henceforth they shall not hold Plea of Freehold, neither of Debt nor of Covenant, nor of any Contract made between [the King's[3]] People, but only of Trespass done within the House, and of other Trespasses done within the Verge, and of Contracts and Covenants that one of the King's House shall have made with another of the same House, and in the same House, and none other where. And they shall plead no Plea of Trespass, other than that which shall be attached by them before the King depart from the Verge where the Trespass shall be committed; and shall plead them speedily from day to day, so that they may be pleaded and determined before that the King depart out of the limits of the same Verge where the Trespass was done. And if it so be that they cannot be determined within the limits of the same Verge, then shall the same Pleas cease before the Steward, and the Plaintiffs shall have recourse to the common Law. And from henceforth the Steward shall not take Cognisance of Debts nor of other things, but of People of the same House, nor shall hold none other Plea by Obligation made at the distress of the Steward and of the Marshals. And if the Steward or Marshals do any thing contrary to this Ordinance, it shall be holden as void.

What Coroners shall inquire of the Death of a Man slain within the Verge.

And Forasmuch as heretofore many Felonies committed within the Verge have been unpunished, because the Coroners of the Country have not been authorized to enquire of such manner of Felonies done within the Verge, but the Coroner of the King's House, which never continueth in one place, by reason whereof there can be no Trial made in due manner, nor the Felons put in exigent, nor outlawed, nor any thing (4) presented in the Circuit, the which hath been to the great damage of the King, and nothing to the good preservation of his Peace; It is Ordained, that from henceforth in cases of the death of Men, whereof the Coroner's Office is to make View and Enquest, it shall be commanded to the Coroner of the Country, that he, with the Coroner of the [King's] House, shall do as belongeth to his Office, and inroll it. And that thing that cannot be determined before the Steward [where[5]] the Felons cannot be attached (6) or for other like cause, shall be remitted to the Common Law, so that Exigents, Outlawries, and Presentments, shall be made thereupon in Eyre by the Coroner of the Country, as well as of other Felonies done out of the Verge: Nevertheless they shall not omit, by reason hereof, to make Attachments freshly upon the Felonies done.

IV. No Common Pleas in the Exchequer.

MOREOVER no Common Pleas shall be from henceforth holden in the Exchequer, contrary to the Form of the Great Charter.

[1] there shall be a Dividend made
[2] *The Steward*
[3] *common*
[4] thereof
[5] because
[6] *there*

de la value, soit faite dividende entre les ꝑnours & les gardeins des feires, Meire, ou chiefs Baillifs des villes & portz, ꝑ la veue des marchantz, des quieus les biens serront issint pris. E riens ne lui soit suffert de plus prendre qil ne mette en dividende; E cele dividende soit porte en garderobe, desutz le seal le gardein, Meire, ou chief Baillif avantditz, & lenz demoergé tantq̃ sur laconte du garderober le Roi; E sil soit trove q̃ nul eit autrement pris q̃ fere ne deveroit, soit puny sur laconte ꝑ le gardein de la garderobe le Roi, solom sa deserte; E si nul face tieus ꝑ'ses sanz garant, & sur ceo soit atteint, soit fait de lui come de ceus q̃ fount ꝑ'ses pur lostel le Roi sanz garant, come desus est dit. E ne entent mie le Roi, ne soen consail, q̃ ꝑ cest estatut rien decresse au Roi, de soen droit des auncienes prises dues & acustumes, come des vyns & autres biens, mes q̃ en touz pointz pleinement lui soit sauve.

De lestat du Seneschal & des Marchals, & des plez q̃ eus deivent tenir & coment, ordene est q̃ desormes ne tiegnent plai de franc tenement, ne de dette, ne de covenant, ne de contract des gentz du pueple fors tantsulement des trespas de lostel, & autres trespas faitz dedenz la verge, & de contractz, & covenantz q̃ ascun de lostel le Roi avꝫa fait a autre de meisme lostel, & en meisme lostel, & ne mie aillours. E nul plai de trespas ne pledront, autre q̃ ne soit attache ꝑ eus avant ceo q̃ le Roi isse hors de la verge ou le trespas ꝟra fait, & les pledera hastivement de jour en jour, issint qil soient parpledez & ꝟmines, avant ceo q̃ le Roi isse hors des bundes de cele verge ou le trespas fut fait. E si ꝑ cas dedenz les bundes de cele verge ne poent estre ꝟmines, cessent ceus plais devant le Seneschal & soient les pleintifs a la comũe lei. Ne desoremes ne preigne le Seneschal conisances des dettes, ne dautre chose, fors q̃ des gentz del lostel avantdit; Ne nul autre plai ne tiegnent ꝑ obligacion faite a la destresce du Seneschal & des Mareschaus. E si le Seneschal, ou les Mareschaus, rien facent countre cest ordenement soit leur fet tenu pur nul. E pur ceo q̃ devant ces houres moutz des felonies, fetes dedenz la verge, unt este despunies, pur ceo q̃ les Coroners des pais ne se sont pas entremis denquerre de tieus maneres des felonies, dedenz la verge, mes le Coroñ de lostel le Roy, qui est passant, de qui issue ne ad mie este fete en due manere, ne les felons mis en exigendes, ne utlaghes, ne rien de ceo ꝑsente en Eire, q̃ ad este a grant damage du Roi & a meins bone garde de sa pees; Ordene est q̃ desoremes en cas de mort de hõme, ou office de Coroner apent, as vewes & enquestes de ceo fere, soit mande le Coroner du pais qi ensemblement ove le Coroner del hostel face loffice q̃ i apent, & le mette en roulle. E ceo q̃ ne porra mie devant le Seneschal estre ꝟmine, ꝑ ceo q̃ les felons ne i porront estre attachetz, ou ꝑ autre encheson, demoerge a la cõmune lei, issint q̃ les exigendes utlagheries & ꝑsententementz en Eire soient de ceo fetz ꝑ le Coroner du pais, ausint come des autres felonies fetes dehors la verge. Mes pur ceo ne soit lesse q̃ les attachementz ne soient fetz freschement sur les felonies faites.

Estre ceo nul cõmun plai ne seit desoremes tenu al Escheqer countre la fourme de la Grant Chartre.

Dautre part le Roi voet q̃ la Chauncelerie e les Justices de soen Banc lui suient, issint qil eit touz jours pres de lui ascuns Sages de la lei, qui sachent les busoignes q̃ veignent a la curt duement deliverer, a tote les foiz q̃ mester ſra. Desutz le petit seal ne isse desoremes nul bref q̃ touche la cõmune lei.

Le Conestable du chastel de Doſe ne plede desoremes a la porte du chastel nul plai forein du Conte, q̃ ne tuche la garde du chastel. Le dit Conestable ne destreigne les gentz de Cinks Portz a pleder aillours, ne en autre manere, qil ne deyvent solonc la fourme des chartres qil unt des Rois de leur franchises auncienes, afermees p la Grant Chartre.

Le Roi ad grante a soen poeple, qil eient esleccion de leur viscontes, en chescun Conte, ou visconte ne est mie de fee, sil voelent.

Le Roi voet & comande q̃ nul visconte ne baillif ne mette en enquestes, ne en jurees, plus des gens, ne autres, ne en autre manere, qil nest ordene p estatut; & qil mettent en teles enquestes & jurees, les plus ꝑcheins, plus suffisantz, & meins suspecenous. E qi autrement le fra, & de ceo soit atteint, rende au pleintif ses damages au duble, & soit en la greve merci le Roi.

En droit des Conspiratours, faus enfourmours, & mauveis ꝑcureours des duzeines, enquestes, assises, & jurees, le Roi ad ordene remedie as pleintifs par bref de Chancelerie; & ja dumeins voet, q̃ ses Justices de lun banc & de lautre, & Justices as assises prendre assignes, q̃nt il viegnent en pais a fere leur office, de ceo facent leur enquestes a chescuny pleinte, santz bref, & santz delai, & facent droit as pleintifs.

Derechief, pur ceo q̃ le Roi avoit avant ordine par estatut q̃ nul de ses Ministres ne preist nul plai a champart, & p cel estatut autres q̃ Ministres ne estoient pas avant ces houres a ceo lieez, voet le Roi, q̃ nul Ministre, ne nul autre, pur part aver de chose q̃ est en plai, enpreigne les busoignes q̃ sont en plai; Ne nul sur tieu covenant soen droit ne lesse a autri; E si nul le fet, & de ceo soit atteint, soit forfet & encoru devers le Roi, des biens ou de ſres lempnour, la value dautant come sa ꝑtie de son purchaz p tele enprise amontera. E a ceo atteindre soit resceu celui qui suire vodra pur le Roi, devant les Justices devant quieus le plai avera este, & p eus soit le agard fet. Mes en ceo cas ne est mie a entendre q̃ home ne puet aver consail de Contours, & des sages gentz, pr du soen donant, ne de ses parentz & ses ꝑcheins.

Derechief voet le Roi q̃ destresces, q̃ sont a fere pur sa dette, ne soient fetz p bestes des carues, tant come hom puet autre trover, solunc ceo q̃ ordene est aillours p estatut, ove la peine &c. E ne voet q̃ trop grive destresce soit prise pur sa dette, ne trop loinz mene, & si le dettour pusse trover suffissaunte & covenable seurte, jesques a un jour deinz le jour le visconte, dedenz le quel hom̃e enpusse purchaser remedie ou fere gre de la demande, soit la destresce relessee endementers. E qui autrement fra soit grevement puny.

AND on the other Party, the King will, that the Chancellor and the Justices of his Bench shall follow him, so that he may have at all times near unto him some Sages of the Law, which be able duly to order all such Matters as shall come unto the Court, at all Times when need shall require.

V. Chancery and King's Bench shall follow the King.

THERE shall no Writ from henceforth, that toucheth the Common Law, go forth under [any of the petty Seals.[1]]

VI. No Common Law Writ under the petty Seal.

THE Constable of the Castle of Dover shall not from henceforth hold any [Plea of a foreign County within[2]] the Castle Gate, except it touch the keeping of the Castle. Nor shall the said Constable distrain the Inhabitants of the Cinque Ports to plead any otherwhere, nor otherwise, than they ought after the Form of their [Charter obtained of the King for[3]] their old Franchises confirmed by the Great Charter.

VII. Of the Jurisdiction of the Constable of the Castle of Dover.

THE King hath granted unto his People, that they shall have Election of their Sheriff, in every Shire, where the Shrivalty is not of Fee, if they list.

VIII. Election of Sheriffs.

THE King willeth and commandeth, that no Sheriff nor Bailiff shall impanel in Inquests nor in Juries over many Persons ([4]) nor otherwise than it is ordained by Statute; and that they shall put in those Inquests and Juries such as be next Neighbours, most sufficient, and least suspicious. And he that otherwise doth, and is attainted thereupon, shall pay unto the Plaintiff his Damages double, and shall be grievously amerced unto the King.

IX. How Juries are to be impanelled.

IN Right of Conspirators, false Informers, and evil Procurers of Dozens, Assises, Inquests and Juries, the King hath provided Remedy for the Plaintiffs by a Writ out of the Chancery; and notwithstanding, he willeth that his Justices of the one Bench and of the other, and Justices assigned to take Assises, when they come into the Country to do their Office, shall upon every Plaint made unto them, award Inquests thereupon without Writ, and shall do right unto the Plaintiffs without Delay.

X. Of Proceedings against Conspirators, Informers, and Procurers of Juries.

AND Further, because the King hath heretofore ordained by Statute, that none of his Ministers shall take no Plea [for Maintenance,[5]] by which Statute [other Officers[6]] were not bounden before this time; the King will, that no Officer nor any other, for to have part of the Thing in Plea, shall not take upon him the Business that is in Suit; nor none upon any such Covenant shall give up his Right to another; and if any do, and he be attainted thereof, the Taker shall forfeit unto the King so much of his Lands and Goods as doth amount to the value of the Part that he hath purchased [for such Maintenance.[7]] And [for this Atteindre,[8]] whosoever will, shall be received to sue for the King before the Justices, before whom the Plea hangeth, and the Judgement shall be given by them. But it may not be understood hereby, that any Person shall be prohibit to have Counsel of Pleaders, or of learned Men in the Law for his Fee, or of his Parents and next Friends.

XI. Champerty prohibited.

Forfeiture thereon.

FROM henceforth the King will, that such Distresses as are to be taken for his Debts shall not be made upon Beasts of the Plough, so long as a Man may find any other, [upon the same Pain that is elsewhere ordained by Statute,[9]] &c. And he will not that over-great Distresses shall be taken for his Debts, nor driven too far; and if the Debtor can find able and convenient Surety until a Day before the Day limited to the Sheriff, within which a Man may purchase Remedy [to [10]] agree for the Demand, the Distress shall be released in the mean Time; and he that otherwise doth, shall be grievously punished.

XII. Distresses for the King's Debt.

[1] *the Petty Seal*

[2] foreign Plea of the County, at

[3] Charters obtained of Kings, of

[4] *nor others*

[5] to Champertie,

[6] *others than Officers*

[7] by such taking upon him.

[8] to attaint him thereof,

[9] *according to that which is ordained elsewhere by Statute, with the same pain,*

[10] *or*

XIII. Of the Persons to be chosen Sheriffs.

AND Forasmuch as the King hath granted the Election of Sheriffs to the Commons of the Shire; the King will that they shall chuse such Sheriffs that shall not charge them, [and that they shall not put any Officer in Authority [1]] for Rewards or Bribes; and such as shall not lodge too oft in one place, nor with poor Persons, or Men of Religion.

XIV. Of farming Bailiwicks and Hundreds.

[FROM henceforth the King will,[2]] That the Bailiwicks and Hundreds of the King, nor of other great Lords of the Land, be not let to Ferm at over-great Sums, whereby the People [are [3]] overcharged by making Contribution to such Ferms.

XV. Summons and Attachments in Plea of Land.

IN Summons and Attachments in Plea of Land, the Summons and Attachments from henceforth shall contain the Term of Fifteen Days full at the least, according to the common Law, if it be not in Attachment of Assises taken in the King's Presence, or of Pleas before Justices in Eyre during the Eyre.

XVI. False Returns. [*See Stat. Westm.* 2. *ch.* 39.]

THAT shall be done with them that make false Returns, ([4]) whereby Right is deferred, as it is ordained in the second Statute of Westminster, with like Pain.

XVII. Statute of Winchester enforced.

AND Forasmuch as there be more Malefactors in the Realm, than had wont to be, and that Robberies, Burnings, and Manslaughters are committed out of measure, and the Peace little observed, by reason that the Statute which the King not long past caused to be made at Winchester is not observed; the King will, that the same Statute be sent again into every County, [to [5]] be read and published four times in the Year [and kept in every Point as straitly as the two Great Charters,[6]] upon the Pains therein limited. And for the observing and maintenance of this Statute, the three Knights that be assigned in the Shires for to redress Things done against the said Great Charters, shall be charged, and shall have their Warrant therefore.

XVIII. Remedy against Escheators for Wastes in Wardships.

FOR Redress of Wastes, and Destructions done by Escheators or Subescheators in the Lands of Wards, as of Houses, Woods, Parks, [Warrens,[7]] and of all other Things that fall into the King's Hands: the King will that he which hath sustained Damage, shall have a Writ of Waste out of the Chancery against the Escheator for his Act, or the Subescheator for his Act if he have whereof to answer; and if he have not, his Master shall answer by like Pain concerning the Damages, as is ordained by the Statute for them that do Waste in Wardships.

XIX. Return of Issues, where Land is seised by the King, without Cause.

[FROM henceforth,[8]] where the Escheator or the Sheriff [shall seize [9]] other Men's Lands into the King's hands where there is no Cause of Seiser, and after, when it is found no Cause, the Profits taken in the mean Time have been still retained, and not restored, when the King hath removed his Hand; the King will, that if hereafter any Lands be so seised, and after [it be removed out of his hands [10]] by reason that he hath no cause to seize nor to hold it, the Issues shall be fully restored to him to whom the Land ought to remain, and which hath sustained the Damage.

XX. Vessels of Gold and Silver to be essayed and touched.

IT is Ordained, That no Goldsmith of England, nor none otherwhere within the King's Dominion, shall from henceforth [make, or cause to be made,[11]] any Manner of Vessel, Jewel, or any other Thing of Gold or Silver, except it be of good and true Allay, that is to say, Gold of a certain Touch, and Silver of the sterling Allay, or of better, at the Pleasure of him to whom the Work belongeth; and that none work worse Silver than Money; and that no Manner of Vessel of Silver depart out of the Hands of the Workers, until it be essayed by the Wardens of the Craft; and further, that it be marked with the Leopard's Head; and that they work no worse Gold than of the Touch of Paris;

Vessels shall be marked with the Leopard's Head.

[1] *nor appoint any Officer in their Bailiwicks* [2] *Moreover*
[3] *may be grieved or*
[4] *to the Command of the King,* [5] *and*
[6] *like as the Great Charters, and firmly kept in every point,*
[7] *Vivaries* [8] *Moreover* [9] seiseth
[10] *his hand le remoued* [11] *work or make*

E pur ceo q̃ le Roi ad grante la esleccion de Visconte a eus des Contez, voet le Roi qil eslisent tieu Visconte q̃ ne les charge mie, ne ne mette nul ministre en baillie pur lower ne pr doun, & tieus q̃ ne se herbergent mie trop sovent en un lieu, ne sur les poves, ne sur les Religious.

Derechief q̃ les baillifs & les hundredz du Roi, ne des autres grantz seignurs de la tre ne soient lesses a trop grant sume aferme, p quei le poeple soit greve ne charge p contribucions fere a teles fermes.

En somonses & en attachementz en plai de tre, desoremes contiegne la somonse & latachement le tme de xv. jours a tot le meinz, solonc la comune lei, sil ne seit en attachement des assises prendre en psence le Roi, (') ou des ples devant Justices en Eire durand leire.

Soit fet de eus q̃ font faus retourns au mandement le Roi, p quei dreiture est delaie, ausi come ordene est en le secund estatut de Westm, ove la peine.

E pur ceo q̃ moutz des meffesours sont en la tre plus q̃ mes ne soleient, & roberies, arsuns, & homicides fetes sanz nombre, & la pees meins bien gardee, p ceo q̃ lestatut q̃ le Roi fist faire nad gueres a Wyncestre nad pas este tenu, voet le Roi q̃ cel estatut soit denovel envoie en chescun Conte, & leu, & pupplie, quatre foiz p an, ausi come les deus Grantz Chartres, & fermement garde en chescun point, sur les peines q̃ lenz sont assises. Et a cel estatut garder & meintenir soient chargez les trois chivalers, qui sont assignez p mi les Contez pur adrese les choses fetes contre les Grantz Chartres, & de ceo eient garant.

En dreit des Wastz & destruccions fetz en gardes, p Eschetour & Sutheschetour, des mesons, parks, bois & vivers, & totes autres choses q̃ eschient en la mein le Roi, voet le Roi q̃ celui q̃ ava le damage receu eit bref de Wast en Chauncelerie, vers leschetour de soen fet, ou le Sutheschetour de son fet, sil eit de quei respoundre; E sil nad de quei, si respoigne son sovein, p autele peine, q̃nt as damages come derrein fust ordene p estatut sur ceus qui fount Wastz en gardes.

Derechief la ou leschetour ou le visconte seisist en la mein le Roi autri tres, la ou il nad reson de seisir, e puis q̃nt trove est la nonreson, les issues du meen temps unt este cea en arere retenuz, & ne mie renduz q̃nt le Roi ad la mein oste, voet le Roi q̃ desoremes la ou terres sont issint seisies, & puis la mein oste p ceo qil nad reson de seisir ne detenir, soient les issues pleinement rendues a celui a qui la tre demoert, & ava le damage receu.

Ordene est q̃ nul Orfeure Dengletre ne daillours de la seignurie le Roi, ne overe ne face de ci en avant nule mane de vessele, de Joiaus, nautre chose, dor ne dargent q̃ ne seit de bon & de verrai alai; Cest assavoir or de cteine tuche, & argent del alay de le esterling, ou de meillur alay solunc la volente de celui a qui les ovres sont; E q̃ nul ne ove pir argent q̃ moneie, & qe nul manere de vessele de argent ne parte hors des meins as overers, tant q̃ ele soit assaie par les gardeins du mester, e q̃ ele soit signee de une teste de leopart; Qe nul ne ove pir or q̃ tuche de Parys;

(') ou devant Justices del common Baunk, [2] *Inst. contrary to all Old Printed Copies.*

e q̃ les gardeins du mester aillent de shope en shope, entre les overers, assaiant q̃ lor soit tiele come le tuche avantdite, e sil trovent nul pir q̃ la tuche, q̃ lo͛e soit forfet au Roi. Qe nul ne face anels croys, ne [fermail crois;[1]] Qe nul ne mette piere en or si ele ne soit natṳrele. Qe taillurs de amans & de Seals, q̃ il rendent a chescuny son poys, dargent & dor, ausi avant come il le poent sauver sur leur leaute; E les Jueus dor, qil unt entre meins de viele overe, qil sen deliverent a plustost qil poent; E sil achatent desore en avant de meisme cele o͛e, qil le achatent pur despescer, & ne mie pur revendre. E en totes les bones viles Dengle͛re, ou ia Orfeures qil facent meismes les estatutz q̃ ceus de Loundres fount, e q̃ un viegne de chescune vile pur touz, a Loundres de querre lour ͨteine tuche. E si nul orfeure soit atteint q̃ autrement le face q̃ desus ne est ordene, soit puny p̃ prison & p̃ ranceon a la volunte le Roi. En totes les choses desusdites, e chescune de eles, voet le Roi, e entent il, & soen consail & touz ceus qui a cest ordenement furent, q̃ le droit, & la Seignurie de sa Coroune savez lui soient par tout.

[1] fermaux. Et *Old Printed Copies.*

The Business of Goldsmiths regulated.

And that the Wardens of the Craft shall go from Shop to Shop among the Goldsmiths, to essay if their Gold be of the same Touch that is spoken of before; and if they find any other than of the Touch aforesaid, the [Gold [1]] shall be forfeit to the King. And that none shall make [Rings, Crosses, nor Locks;[2]] and that none shall set any Stone in Gold, except it be natural. And that Gravers or Cutters of Stones, and of Seals shall give to each their weight of Silver and Gold, as near as they can, upon their fidelity; and the [Jewels of Base Gold [3]] which they have in their Hands, they shall utter as fast as they can; and from henceforth if they buy any of the same Work, they shall buy it [to work upon,[4]] and not to sell again. And that ([5]) all the good Towns of England, where any Goldsmiths be dwelling, ([6]) shall be ordered according to [this Estatute [7]] as they of London be; and that one shall come from [every good Town for all the residue that be dwelling in the same,[8]] unto London, for to be ascertained of their Touch. And if any Goldsmith be attainted hereafter, because that he hath done otherwise than before is ordained, he shall be punished by Imprisonment, and by Ransom at the King's Pleasure. [And notwithstanding [9]] all these Things before mentioned, or any Point of them, both the King and his Council, and all they that were present at the making of this Ordinance, will and intend that the Right and Prerogative of his Crown shall be saved to him in all Things.

Saving of the Prerogative.

[1] *Work* [2] *Ring-Crosses nor Clasp-Crosses*
[3] Jewels of Gold of Old Work
[4] *to break in pieces* [5] *in* [6] *they*
[7] *the same Estatutes* [8] *each Town for all* [9] *In*

Statutum de Appellatis.[1]

Ex Rot. de Parl. 28 Edw. I. m. 1. d.[2]

De appellatis ducendis ad appellatores.

CUM ͨti Justiciar̃ in singlis Comitatib; Regni ad assisas in eisdem capiendas de novo sint assignati simulq; ad deliberac̃oem Gayolar̃ eor̃dem Comitatuū in singlis adventib; suis faciendam post cap-c̃oem ear̃dem assisar̃ ꝑut in statuto dn̄i Regis inde confec̃to pleni͛ continet': Dn̄s Rex ad Parliamentū suū apud Westm̄ anno Regni sui [octavo [3]] ꝑ pace firmius obs͛vanda felonilsq; celerius convincendis & p'sonib; cicius delibandis, concessit, ordinavit, & statuit, qd̄ quicūq; fu͛int appellati ꝑ ꝑbatores existentes in Gayolis quas ip̃i Justiciar̃ delibant, & ubicumq; in Regno ip̃i appellati cōmorantes fu͛int aut latitantes, qd̄ statim mandet' Vicecomitib;, in quor̃ balliva tali͛ appellati fu͛int cōmorantes aut po͛unt inveniri, ꝑ br̃e dn̄i Regis sub testimonio eor̃dem Justiciar̃, qd̄ tali͛ appellatos capiant & duc̃e faciant ad Gayolas ubi appellatores ꝑ quos appellant' fu͛int detenti, et ibidem coram ip̃is Justic̃ respondeant. Et si ip̃i appellati se sup̃ p̃iam posuerint, simil͛ mandet' ꝑ br̃e de jud̄o ꝑ eosdem Justic̃, Vic̃ in cui͛ balliva felonie fc̃e fu͛int de quib; appellant', qd̄ venire faciat coram eisdem Justic̃ inquisic̃oem patrie ad eundem locū ubi appellatores sunt detenti, & ad ͨtum diem. Et Vicecomites & alii in quor̃ custodia appellatores detinent', admittant, sine cont'dic̃one, appellatos ꝑ eosd̄m ꝑbatores, cū iidem appellati capti fu͛int in forma p̃d̄ca & ad ip̃os appellatores adducti, &c.

[1] This Title is from the Old Printed Copies.
[2] *Vetus Codex, fo. 94, b. sub An. 28 Edw. I.*
[3] { decimo octavo *Vetus Codex.*
{ vicesimo octavo *MS. Cott. Claud. D. II.*

A Statute for Persons appealed.

Of bringing Persons appealed to the Appealors.

WHEREAS certain Justices of late were assigned to take Assises in all Shires of the Realm, and also to deliver the Gaols of the same Shires at every of their comings, after the taking of such Assises, as more plainly is contained in a Statute made by the King thereupon; Our Lord the King, at his Parliament holden at Westminster, the [eight and twentieth [1]] Year of his Reign, for more sure observation of his Peace, and Felonies to be more quickly punished, and Prisoners to be sooner delivered, hath granted, ordained, and provided, That whosoever be appealed by Provors, being in Prisons which the same Justices do deliver, and wheresoever in our Realm that such Appealees be dwelling ([2]), that immediately it shall be commanded to the Sheriff, in whose Bailiwick the Parties so appealed be commorant or may be found, by the King's Writ, under the Testimony of the same Justices, that he do take such Persons appealed, and cause them to be brought unto the Gaols where the Appealors be kept that appealed them, and they shall answer there before the same Justices. And if they that be appealed will put themselves upon the Country, it shall be commanded in like manner by a Judicial Writ, from the same Justices to the Sheriff, in whose Liberty the Felonies were done, of which they were appealed, that he shall cause an Enquest of the Country to come before the same Justices, unto the same place where the Appealors be kept, at a certain Day. And the Sheriffs and other, in whose keeping such Appealors be detained, shall receive without Contradiction those that be appealed by such Provors, when the Parties appealed be taken in the Form abovesaid, and brought unto the same Appealors.

[1] All Translations agree in this Reading.
[2] or lurking

Anno 29° EDWARDI, I. A.D. 1300-1.

Statutum de Escaetoribus.

A STATUTE FOR ESCHEATORS.*

Ex magno Rot. Stat. in Turr. Lond. m. 35 d.†

Concerning Lands taken into the King's Hands.

AT the Parliament of our Lord the King at Lincoln, in the Utas of Saint Hilary, the twenty-ninth year of his Reign, by his Council it was agreed, [and also commanded by the King himself, That from thence it should be observed and done [1]] according to the advice of the Reverend Father W. Langton, the Bishop of Coventry and Litchfield, and Treasurer to the King, John Langton then being Chancellor, [and other of the Council there present before the King;[2]] That where Inquests taken by his Escheators, by any of the King's Writs [purchased out of the Chancery being returned,[3]] and it be found by such Inquests, that nothing is holden of the King [whereby the King ought[4]] to have the custody of such Lands and Tenements by reason of [the[5]] Inquests taken (6) by his Escheators, that immediately and without any delay the Escheators shall be commanded by the King's Writ had out of the Chancery, to put from their hands all the Lands and Tenements so (7) taken into the King's possession; and if they have taken any profits of such Lands and Tenements so taken into the King's hands by them, from the time that such Lands and Tenements fell into the King's hands, they shall make full restitution to him or them, for whom it was found by Inquests (8) taken by the same Escheators, that such Lands (9) ought to remain; Saving alway to the King, in case that after such time as his Escheators have discharged their hands by force of the King's Writ, as before is said, if any thing happen to be found in the Chancery or the Exchequer, or in any other of the King's Courts, whereby the custody of such Lands, (9) whereof the Escheators have discharged their hands in form aforesaid, should belong unto the King, that immediately he in whose possession such Lands happen to be, shall be summoned by a Writ out of the Chancery, to be before the King at a certain Day wheresoever, &c. to shew if he can say any thing, wherefore the King ought not to have the Custody of such Lands, according to the form of the Evidences or Remembrances found for the King; and if he come in, and shew why the custody of such Lands do not belong, or ought not to belong unto the

If no Title be found for the King on Inquest, the Lands shall be restored, with the Issues.

Saving of the King's Right of Reseiser after Scire facias to the Terre-tenant.

[1] *before our Lord the King, the King himself consenting and commanding that this from thenceforth should be done and observed,*

[2] *Roger de Brabazon, John de Metyngham, Ralph de Hengham, William de Bereford, Roger de Hegham, Gilbert de Roubery, William Haward, William de Carleton, William Inge, John de Lythegreyns, Adam de Crokedayke, William de Brompton, John de Drokensford, John de Benstede, William Mortimer, Walter de Gloucester, then Escheator on this side the Trent; to wit;*

[3] *shall have been returned into the Chancery*

[4] *in any way* [5] *such* [6] *into his hands*

[7] *by them* [8] *before* [9] *and Tenements*

AD Parliamentum Dñi Regis apud Lincoln, in Octabis Sči Hillař anno regni sui vicesimo nono, p consiliū ℞ concordatum est, coram Dño Rege, ipo Rege consenciente & illud extunc fieri & observari ꝑcipiente, [1] de consilio venabilis patris Walti de Langetoñ Coventř & Licħ Epi, tunc ejusdem Dñi R. Thes, Johis de Langetoñ tunc Canč, Rogli le Brabazon, Johis de Metynghm, Radi de Henghm, Willi de Bereford, Rogli de Hegham, Gilbti de Roubiř, Willi Haward, Willi de Carletoñ, Willi Inge, Johis de Lythegreyns, Ade de Crokedayk, Willi de Bromptoñ, Johis de Drokenesford, Johis de Benstede, Willi de Mortuo Mari, Walti de Glouč tunc Esč citm Trentam,[2] videlt: qđ cum inquiš p Escaetores suos capte [p quecumq; bria ℞[3]] in Cancellař ipius Dñi ℞ fuint retornate, et p easdem inquiš comptum fuit qđ nichil teneatr de ipo Dño ℞, p quod custodia ꝓrar & teñ, rone hujmodi inquiš in manū Dñi ℞ p ipos Esč captor, ad ipm dñm ℞ [ullo[4]] modo ptineat, qđ statim & absq; dilone aliqua mandetr p bře Dñi ℞ p Canč ꝑcipiend, qđ Esč ꝓris & teñ, sic in manū ℞ p ipos captis, manū suam amoveant omio, et exitus si quos levavint de ipis ꝓris et teñ sic in manū ℞ p ipos captis, de tempe quo ꝓre & teñ (4) in manū ℞ extitint, integre reddant ipi vel ipis, cui vel quibz, p inquiš pus per eosdem Esč captas comptum fuit, qđ ꝓre & teñ illa debeant remanere; salvo semp dño ℞ qđ si postqm Esč sui manus amovint, p bře ipius dñi ℞ ut ꝑdcm est, aliquid contigerit inveniri in Canč, vel ad Scecm, seu alibi in Cuř ℞, p quod custodia ꝓrar & teñ eor̄dem, de quibz Esč manus suas amovint in forma ꝑdca, dño ℞ ptineat, qđ statim ꝑmuniatr ille in cujo seis teñ ꝑdca fuint, p bre de Canč qđ sit ad ctum diem coram dño ℞ ubicumq; fuit &c. ostenš si quid p se habeat, vel dice sciat, quare dñs ℞ custodiam eor̄dem teñ habere non debeat, juxta formam evidenciar seu memorandor p ipo ℞ comptor. Et si venit et p se ostendat quare eadem custodia ad dñm ℞ non ptineat, aut ptinere

[1] *Rot. Parl. & Vetus Codex,* omit these Names. *Old Printed Copies* read as follows:
De consilio venerabilis patris W. de Langetoñ Coventř & Licħ epi tunc ejusđ regis thesauř Joannis de Langeton Cancellař & aliorum de consilio tunc ibidem presentium & coram Rege;

[2] auctate bris quod dř Diem clausit extremū, { *Rot. Parl:* / *Vet. Cod.*

[3] nullo [4] illa

* These Titles are from the Printed Copies, and Translations; no Title appears on the Statute Roll.

† There are two Entries of this Act on the Back of the Roll here cited: the first being crossed through, and the Words "Vacat quia alip inferiº" written in the Margin. The first Entry is erroneous, by a material Omission. See Note 4. of the Various Readings. This Act is also enrolled in a Roll of the Parliaments 26, 28, 29, 30 *Edw.* I., in the Chapter House at Westminster; *m.* 1 *d. sub An.* 29; and likewise in the Vetus Codex, in the Tower of London, *fo.* 94. *b.* In the Margin of both, is written "D' ꝓris capt in manū dñi Reg p diem clausit extmū." On the Close Roll 29 *Edw.* I. *m.* 13 *d.* this Act is enrolled with the following Title in the Margin, "Quedam Ordinacio fca p ℞ & Conš suū sup inquisicoibz retornand in Cancellař." This Inrollment agrees exactly with that on the Statute Roll from which the Text is printed. From the Original Bill or Act now remaining in the Tower, it appears that the Act was first made to extend only to Inquisitions on Writs of Diem clausit extremum, and afterwards altered so as to extend to Inquisitions on any Writs.

non debeat, [immo quod sibi remanere debeat, recedat quietus, & custodiam illam retineat; si autem ꝑmunitus non venit, vel si venit & nichil dicat quare ꝑ custodiam illam ħere nō debeat,[4]] statim reseisient' ꝓre & ten illa in manū Dñi ꝑ, nōie custodie, tenend usq; ad legitimam etatem [heredum [5]] eoꝝdem: Et sicut supius dcm est, qd si comptum fuit ꝑ inquiš ꝑ Esc fcas & retornatas, qd custodia eoꝝdem ꝓraꝝ & ten in inquiš contentoꝝ, & in manū ꝑ seisitoꝝ, dño ꝑ remanere non debeat, qd statim mandet' [Esc[6]] qd manus suas amoveant & exit⁹ integre reddant &c. Eodem modo si postq[a]m comptum fuit ꝑ evidencias & memoranda in Canc, ad Sc[a]cm aut alibi, ut ꝓdcm est, qd dñs ꝑ custodiam eoꝝdem ħere debeat, respondeatur ipi dño ꝑ de exit integre, ꝑ manus illoꝝ qui ꝓras & ten illa tenuerunt, a toto tempe postq[a] ten illa p'mo in manū ipius Dñi ꝑ ꝑ Esc suos capta fuerunt [ꝑ br̃ia sup[a]dca.[7]] Et iste modus observet' deceꝓo in Canc, non obstante quadam ordinacõe nup ꝑ dñm ꝑ fca, de ꝓris & ten in manū suam ꝑ ministros suos capt, & nō lib̃and, nisi p ipm dñm ꝑ, & ꝑut continet' in quadam dividencia int ipm ꝑ & Canc fca & cuj⁹ una ps penes Canc remanet.

[4] Omitted in the first Entry on the Tower Roll.
[5] heredis [6] Escaetorib; } *Rot. Parl:*
[7] ꝑ br̃e ꝑdcm quod dr̃ Diem clausit extremum. } *Vetus Codex.*

King, but that it ought to remain to himself, he shall go quit, and retain the Custody; but if the Party warned doth not come, or if that he come, and can shew nothing to put the King from the Custody, the Lands and Tenements shall be forthwith reseised into the King's hands, to be kept in name of Wardship until the lawful age of [such Heirs, as before is said:'] And, as it is said before, if it be found by Inquests taken by the Escheators, and returned, that the Custody of the same Lands and Tenements contained in the Inquest, and seised into the King's hands, ought not to remain unto the King, then the [Escheator [2]] shall be commanded forthwith to discharge [his [3]] hands thereof, and to restore the Issues wholly (*): In like manner, if it be found afterward by Evidences and Remembrances in the Chancery, Exchequer, or otherwhere, as before is said, that our Lord the King ought to have the Wardship thereof, the King shall be answered for the whole Issues and Profits by the hands of such as held the same Lands and Tenements, from the time they were first taken into the King's hands by his Escheators by the Writs abovesaid. And this Order shall be held from henceforth in the Chancery, notwithstanding a certain Ordinance lately made by our Lord the King, concerning Lands and Tenements taken into his hands by his Officers, and not to be delivered but by the King himself, and as it is contained in a certain Dividenda, or Indenture, made between the King himself and his Chancellor, whereof one part remaineth in the custody of the Chancellor.

On Reseiser the King shall have all the Issues from the Time of the First Seisure.

[1] *the Heir thereof.* [2] *Escheators*
[3] *their* [4] *&c.*

Anno 33° EDWARDI, I. A.D.1305.

Ordinatio de Inquisitionibus.

AN ORDINANCE FOR INQUESTS.*

Ex Veteri Codice in Turr. Lond. fo. 102, b.
De Parl. 33 Edw. I. post Fest. S. Mathie Ap'li.

Ordinacio fca ꝑ tota cõitate regni.

DE inquisicõib; coram Justic quib;cumq; capiend, & in quib; Dñs Rex est pars qualitercumq;; concordatum est ꝑ Dñm Regem & totum consilium & ordinatum, qd de ceꝓo, licet ꝑ ipos qui ꝑ dño Rege secunt', dicat' qd Jur inquisicõm illaꝝ, seu aliqui illoꝝ, nō sint boni ꝑ Rege, non ꝓpt hoc remaneant inquisicões ille capiende; set si illi qui secunt' ꝑ Rege aliquos Jur illoꝝ calumpniati fuerunt, assignent ctam causam calumpnie sue, & inquirat' ꝓvitas illius calūpnie scdm consuetudinem Curie; & ꝓcedat' ad capcõem illaꝝ inquisicionū ꝑut comptum fuit si calumpnie ꝓve sint nec ne, juxta discrecõem Justic. (1)

[1] Ista Ordinatio precedens & Ordinatio sequens de Foresta facte fuerunt in Parliament apud Westm die Dominica proꝝ post festum sancti [Michaelis,[2]] anno regni Regis E. fit Regis H. tricesimo tertio. *MS. Cott. Vesp. B. VII.*

[2] Matthei Apostoli *Printed Copies.*

OF Inquests to be taken before any of the Justices, and wherein our Lord the King is Party howsoever it be; It is agreed and ordained by the King and all his Council, That from henceforth, notwithstanding it be alledged by them that sue for the King, that the Jurors of those Inquests, or some of them, be not indifferent for the King, yet such Inquests shall not remain untaken for that cause; but if they that sue for the King will challenge any of those Jurors, they shall assign of their Challenge a Cause certain, and the Truth of the same Challenge shall be enquired of according to the Custom of the Court; and let it be proceeded to the Taking of the same Inquisitions, as it shall be found, if the Challenges be true, or not, after the Discretion of the Justices.

Ordinance made for the whole Commonalty of the Realm.

Challenges of Jurors for the King, shall be for a Cause certain.

This Ordinance precedent, and the Ordinance following of the Forest, were made in the Parliament at Westminster, the Sunday next [before the Feast of Saint Matthew'] the Apostle, the three-and-thirtieth year of the reign of King Edward, Son of King Henry.

[1] *after the Feast of Saint Matthias*

* These Titles are from the old Printed Copies and Translations.

Ordinacio Foreste.*

AN ORDINANCE OF THE FOREST.

WHEREAS certain People that be put out of the Forest [for the Purliew, and by the great Men,[1]] have made Request [to our Lord the King] at this Parliament, that they might be acquitted of [their Charge,[2]] and of Things that the Foresters demand of them, as they were wont [to be;[3]] Our Lord the King answered [first, That where he had granted Purliew,[4]] that he was pleased that it should stand in like Manner as it was granted, albeit that the Thing was sued and demanded in an evil Point; nevertheless he willeth and intendeth, that ([5]) all his demean Lands wheresoever they be, that have been [of the Crown, being returned [6]] by way of Escheat, or otherwise, shall have Estate of Free-chase and Free-warren, and in such Manner shall be saved and kept to his Use for all manner of [Escheats,[7]] and for all manner of [Things [8]] that pleaseth him.

Free Chace and free Warren in Lands of the Crown.

Lands disafforested, not to have Common within the Forest;

And in Right of them that have Lands and Tenements disafforested [for the said Purliew, and such as [9]] demand to have Common within the Bounds of Forests, the Intent and Will of our Lord the King is, That [from henceforth, where Purliew is, they may claim to be quit of Charge of the Forests. And whereas [10]] the King's Beasts cannot have their Haunt and Repair unto [the Forest-ground,[11]] as they had, so long as [they [12]] were within the Forests, that such Folk shall not have Common, nor other Easement within the Bounds of the Woods, nor of the Lands, the which remain in Forest: But if any of them that be disafforested by the [Purliew,[13]] would rather be within the Forest as they were before, than to be out of the Forest as they be now, it pleaseth the King very well that they shall be received thereunto; so that they may remain in their antient Estate, and shall have Common and other Easement ([14]) as well as they had before. Whereupon our Lord the King willeth and commandeth, That his Justices of the Forest on this Side Trent, and beyond Trent, in like Manner shall keep and hold, and cause to be kept and holden straitly, the foresaid Points within their Liberties in the Form above mentioned.

unless again received into the Forest.

[1] *by the Perambulation and by the Grant of our Lord the King*
[2] *Puture* [3] *to do heretofore*
[4] *since he hath granted the Perambulation*
[5] *all his Demean, Woods, and*
[6] *of the Crown anciently, or which have reverted to the Crown*
[7] *beasts* [8] *Sports of the field*
[9] *by the said Perambulation, and who*
[10] *whereas by the Perambulation they claim to be quit of Puture, and that* [11] *the Lands disafforested* [12] *the said Lands*
[13] *Perambulation* [14] *within his Forests*

Ex Veteri Codice in Turr. Lond. fo. 113. b.
De Parl. 33 Edw. I. post Fest. S. Matthie Ap'li.

CUME aucune gentz q̃ sount mys hors de forest p la puralee, & p le g̃nt nostre Seign̄r le Roi, aient requis a cest plement, quil soient quites de la [poture,[1]] & de les choses q̃ les foresters lour demaundent, sicome il soileint avaunt faire; Nr̄e Seign̄r le Roi respount, puis quil ad g̃nte la purale, quil luy plest bien quele estoit auxi come il lad g̃nte; Ja soit ceo q̃ la busoigne estoit siwie & demande en malveis point; Mais au meins entent il & voet, q̃ touz ses demeigns ([2]) & toutes ses demeignes t̄res, quele pt quil soient, qui ount este de la corone auncienment, ou qui a la corone sount retournez p veie deschete, ou en autre mañe, aient estat de fraunche chace & de fraunche garene; Et en tieu manere soient tenuz & gardez, a son oeps, pur totes mañe de bestes, & pur tote mañe de deduiz, q̃ luy plera.

Et endroit de ceux, qui t̄res & tenemenz sount deaforestez p la dite p̄alee, & qui demaundent davoir cōmun denz les boundes des forestes, Lentencion & la volunte nr̄e Seignur le Roi est, puis q̃ par la purale il cleyment estre quites de [poture,[3]] & q̃ les bestes le Roi ne puent avoir lour haunt ne lour repeire s̄ les t̄res desaforestez, sicome il avoient t̄nt come mesmes les t̄res estoient dedenz foreste, q̃ cele gentz ne deyvent avoir cōmune, ne autre aisement, dedenz les boundes des boys ne de t̄res qui demoerent en forest: Mais si aucuns de ceux, qi sount desafforestez par la puralee, voillent mieux estre dedenz forest, come avaunt furent, q̃ de hores sicome il sount ores, il plest bien au Roi quil soient a ceo rezceux, Ensint quil puissent demorer en lour estat auncien, & cōmune & autre aisement avoir, dedenz ses forestes, auxi come urent avaunt; Par quoi nr̄e Seign̄r le Roi voet & comaunde q̃ ses Justices de ses forestes, de cea Trent & dela Trent, ensement tiegnent & gardent, & tenir & garder facent fermement, les ditz pointz en lour Baillies en la fourme avantdite.

[1] puture *Rot. Claus.* [2] bois *Rot. Claus.*
[3] puture des foresters, *Rot. Claus.*

* This Title is in the Margin of the Inrolment. The Ordinance is also enrolled on the Close Roll 33 *Ed.* I. *m.* 18 *d.* with the following Title in the Margin 'Quedam Ordinacio de Foresta B.'

Ordinacio de Conspiratoribz.*

AN ORDINANCE CONCERNING CONSPIRATORS.

Ex Veteri Codice in Turr. Lond. fo. 118. *b.*
De Parl. 33 *Edwardi, I. in Octab. B. Marie.*

CONSPIRATOURS sount ceux qui sentre alient p ꝑment covenaunt ou p autre alliaunce, qe chescun eidra & sustendra aut' emp'se de fausement & maliciousement enditer ou faire enditer, ou fausement acq'ter les gentz, ou faussement mover plees, ou meintenir; et auxi ceux q̃ fount enfauntz deintz age appeler la gent de felonies p quei il sount emp'sonez & moult g'vez; Et ceux q̃ receivent gentz de pais a leur robes ou a leur feez, pur meintenir lour mauveis emp'ses & pur verite esteindre, auxibien les ꝑnours come les donours; et Seneschaux et Baillifs de g'untz Seign'rs, qui p seigneurie officie ou poeir, enꝑnont a meintenir ou sustenir pleez ou baretz pur ꝑties autres q̃ celes que touchent lestat lour seign'rs ou eux mesmes. Ista ordinatio & finalis diffinicio Conspiratoꝝ fca fuit & finaliꝫ concordata p Regem & consilium suū in hoc pliamento, &c. Et ordinatum est qd Justic̃ assignati ad divsas t'nsgr̃ & felonias in singlis Com̃ Angl audiend & ꝑminand hĕant inde t'nscriptū &c. (1)

[1] Campi Participes sunt qui per se vel per alios placita movent vel movere faciant; et ea suis sumptibus prosequuntur, ad campi partem, vel pro parte lucri habenda. *Printed Copies.*

CONSPIRATORS be they that do confeder or bind themselves by Oath, Covenant, or other Alliance, that every of them shall aid and [bear[1]] the other falsly and maliciously to indite, [or cause to indite,[2]] or falsly to move or maintain Pleas; and also such as cause Children within Age to appeal Men of Felony, whereby they are imprisoned and sore grieved; and such as retain Men in the Country with Liveries or Fees for to maintain their malicious Enterprises, (1); and this extendeth as well to the Takers, as to the Givers; and Stewards and Bailiffs of great Lords, which by their seignory, office, or power, undertake [to bear or maintain Quarrels, Pleas, or Debates, that concern other Parties[4]] than such as touch the Estate of their Lords or themselves. This Ordinance and final Definition of Conspirators was made and (5) accorded by the King and his Council [in his Parliament the thirty-third year of his Reign.[6]] And it was further ordained, that Justices assigned to the hearing and determining of Felonies and Trespasses (7) should have the Transcript hereof. Definition of Conspirators.

Champertors be they that move Pleas and Suits, or cause to be moved either by their own Procurement, or by others, and sue them at their proper Costs, for to have Part of the Land in variance, or Part of the Gains. Definition of Champertors.

[1] *sustain the enterprize of*
[2] *or cause to be indicted, or falsely to acquit prop'e,*
[3] and to drown the truth
[4] *to maintain or support Pleas or Quarrels for Parties, other*
[5] *finally* [6] *in this Parliament, &c.*
[7] *in the several Counties of England,*

* This Title is in the Margin of the Inrollment. In the Printed Copies this is entitled 'Diffinitio de Conspiratoribus. A Definition of Conspirators'

Anno 34° EDWARDI, I. A.D. 1306.

Statutum de conjunctim Feoffatis.*

THE STATUTE OF JOINT-TENANTS.

Ex magno Rot. Stat. in Turr. Lond. m. 34.

¶ De Anno regni, &c. Tricesimo quarto.

REX Om̃ib3 ad quos, &c. salt'm. Non est novū qd Nos, int' cet'as legum edic̃oes quas temporib3 n̄ris adinvenim⁹, p nimia enormi t'nsgressione que in b̄rib3 nove disse̅ie contingit, ꝑ cet'is, in illis b̄rib3 celerius apponi decrevim⁹ remediū. Et quia q'mpluries contingit, qd in assisis nove disse̅ie, tenens excipit cont' querentem qd tenet tenementa petita conjunctim feoffatus cum uxe sua, non nominata in b̄ri, aliq'ndo cum aliquo extraneo, qui similiꝫ non nominatur in b̄ri, & ꝓfert cartam que hoc testatur, & petit judiciū de b̄ri; Concordatum est & statutum, qd si pars querēs offerat verificare p assisam qd die impetrac̃ois b̄ris sui, ille qui talem excepc̃oem ꝓposuit fuat solus tenens, ita qd

THE King unto All to whom These, &c. Greeting. It is no new Thing, that among divers Establishments of Laws, which We have ordained in our own Time upon the great and heinous Mischiefs that happen in Writs of Novel Disseisin chiefly above other, We have devised more speedy Remedy in those Writs than was before. And Forasmuch as it chanceth many Times in Assises of Novel Disseisin, that the Tenant doth except against the Plaintiff, that he holdeth the Tenements in Demand [jointly[1]] with his Wife, not named in the Writ, and sometime with a Stranger, (2) not named in the Writ, and sheweth forth a Deed testifying the same, and demandeth Judgement of the Writ; It is agreed and ordained, That if the Plaintiff will offer to aver by Assise, that the Day of his Writ purchased, he that alledged the Exception was sole Tenant, so that Proceedings on Plea of Joint-tenancy by Tenant, in Assise of Novel Disseisin.

[1] *being jointly enfeoffed* [2] likewise

* These Titles are from the Printed Copies. No Title appears on the Statute Roll.

neither his Wife, nor any other had any Thing in the said Lands, then the Justices, before whom the Assise is arraigned, shall retain the same Deed safely in their keeping, until the Assise be tried between them thereupon, as that which is in a sort denied. And they shall [let the Party absent to understand by their Writ under their Testimony, and also to the Joint-tenant that is present, of whom the Deed maketh mention,[1]] that he be present at a certain Day with the other Tenant, to answer unto the Party Plaintiff, as well upon the Exception alledged, as of the Lands demanded and put in View, if it seem expedient for *him*: At which Day if both that are named Tenants do come in, and do justify the same Feoffment, they shall answer and maintain the Exception alledged by one of them, and further shall answer unto the Assise as though the original Writ had been purchased against both of them jointly. And if it be proved by Assise, that the Exception was alledged maliciously, to delay the Plaintiff of his Right, [so that they held not[2]] the same Land jointly the Day of the Writ purchased, then albeit the same Assise do pass for the Tenants, and against the Plaintiff, yet they that alledge the Exception, shall be punished by one Year's Imprisonment, whence they shall not be delivered without a grievous Fine. And let the Justices be well advised, That from henceforth they do not allow (5) an Exception alledged by the Bailiffs of any such Tenants. And if he that alledgeth the Exception absent himself at his Day, and the other that is named Joint-tenant do appear, although he that doth appear doth disavow the same Deed, and say that he hath nothing in the foresaid Tenements; nevertheless the Assise shall pass against the Tenant that is absent, by his Default. And if it be found by Assise, that they were not jointly enfeoffed the Day of the Writ purchased, and likewise that the Tenant against whom the Writ was purchased, or another named in the Writ, did disseise the Plaintiff, then, having regard to the Exception that was falsly and maliciously alledged to the hurt of the Party, and to the Disseisin that they made, the Party Plaintiff shall recover his Seisin and double Damages, and they that alledge the false Exception shall have the Punishment aforesaid. But if neither of the Tenants do come at the Day, then upon their Default the Assise shall pass against them. And if it be found thereby, that the same Exception was lawfully and truly alledged, [and] that they which alledged it were jointly seized before the Plaintiff purchased his Writ against them, the Assise shall pass no further, but the Writ shall be abated. The same shall be observed, if both or one only do appear, if it be found by Assise that the Exception aforesaid was truly alledged, as before is said. In the same Order it is established and agreed, That in Assises of Mortdauncestor, and Juris utrum, at the first day that the Parties appear in Court, if the Tenant alledge the foresaid Exception against the Demandant, shewing a Deed thereupon, and the Demandant will offer to aver by the Assise or Jury, that at the Day of his Writ purchased, he that alledged the Exception was sole Tenant, from thence the same Process and Manner of Proceeding shall be used in Assises of Mortdauncestor and Writs of Juris utrum, as before is ordained in Assises of Novel disseisin, and like Punishment shall be inflicted upon the Offenders and those that be convict. In other Writs, whereby Tenements are demanded, such Process shall be made, that if at the first Day that the Parties appear in Court, the Tenant doth alledge the foresaid Exception of a joint Feoffment, and the Demandant will offer to aver by the Country, that the Day of the Writ purchased, he that alledged the Exception was sole Tenant, then the same Process and Manner of Proceeding shall be observed betwixt the Parties until a Jury have passed between them thereupon. And if it be found by the Jury, that the same Exception was truly alledged, then the Writ of the Demandant shall abate; and if it be founden by the Jury, that the same Exception was

A Scire facias awarded to the Party named as Joint-tenant.

Punishment for false Plea.

Joint-tenancy shall not be pleaded by Bailiffs.

Double Damages to Party grieved.

Abatement of the Assise on such Plea being proved.

Joint-tenancy pleaded in Mortdauncestor and Juris utrum.

Joint-tenancy pleaded in other real Actions.

uꝫ sua, nec alius aliquid ħuit in ꝑdčis ten̄, tunc Justič coram quib⁹ ꝑdča assisa arrainiata est, retineant ꝑdčam cartam salvo in custodia eo⁹dem, quousq; assisa inde inter eos tn̄sierit, ut illam que quasi dedicta est. Et scire faciant, p ꝺre nr̄m sub eo⁹ testimonio, parti absenti, quam carta testatur simul cum tenente qui ꝑsens est conjunctim feoffari, qđ sit ad ꝯtum diem, responsura simul cum alio tenente parti querenti, tam de excepc̄oe ꝓposita q⁹m de ten̄ petitis & positis in visu, si sibi viderit expedire: Ad quem diem, si ambo qui dicuntur tenentes venīint, & feoffamentum illud advocavint, respondeant & manuteneant excepc̄oem p unū eo⁹ ꝓpositam, & similiter ulterius ad assisam, ac si ꝺre originale sup eos conjunctim fuisset impet⁹tum. Et si convincat⁹ p assisam qđ exceptio illa in retardac̄oem juris querentis maliciose fuit ꝓposita, eo qđ ip̄i non fuerunt conjunctim feoffati de ten̄ illis, die impet⁹c̄ois ꝑdči ꝺris, tunc licet assisa illa tn̄sierit p tenentib⁹ & cont⁹ querentem, nichilomin⁹ puniant⁹ talem excepc̄oem ꝓponentes p prisonam unius anni, a qua non exeant absq; g⁹vi redempc̄oe. Et caveant dece⁹o Justič qđ talem excepc̄oem, sic ꝓpositam p ballivos aliuo⁹ tenenciū, non admittant. Si autem ille qui excepc̄oem ꝓposuit, se ad diem illum absentavit, & alter qui dicitur conjunctim feoffatus comparuit, licet ip̄e comparens ꝑdčam cartam disadvocavit, & dixit se nichil ħre in ꝑdčis ten̄, nichilomin⁹ adjudicetur assisa versus tenentem absentem p ejus defaltam. Et si convincatur p assisam qđ ip̄i non fuant conjunctim feoffati, die impetrac̄ois ꝺris ꝑdči, et similiter convincat⁹ qđ tenens sup quem ꝺre fuit impet⁹tum, vel alius nōiatus in ꝺri, disseis̄ querentem, tunc ħita considerac̄oe ad excepc̄oem, in lesionem partis falso & maliciose ꝓpositam, & ad dis-šeiam p eos fc̄am, pars querens recupet seisinam suam & dampna sua in duplum, et ꝓponentes excepc̄oem illam ħeant penam sup⁹dcam. Si autem neuter tenenciū ad diem illum venīit, tunc p eo⁹ defaltam versus eos capiatur assisa. Et si comptum sit p eandem qđ exceptio illa vere & rite fuit ꝓposita, qđ ip̄i, qui eam ꝓponūt fuant conjunctim feoffati, anteq⁹m querens ꝺre suū versus ip̄os impetravit, non ꝓcedatur ulterius ad assisam, set casset⁹ ꝺre querentis. Hoc idem observetur si ambo vel unus tm̄ venīit, si compiatur p assisam qđ exceptio ꝑdča ut ꝑdčm est veracit⁹ fuit ꝓposita. Eodem modo statutum & concordatum est, qđ in assis mortis antecessoris & [juratis de utrum,[1]] ad p⁹mū diem quo partes compuint in Curia si tenens ꝓponat ꝑdčam excepc̄oem cont⁹ petentem, & de hoc ꝑtendat cartam, & petens offerat verificare p assisam vel juratam qđ die impet⁹c̄ois ꝺris sui, ille qui talem excepc̄oem ꝓposuit fuit solus tenens, extunc idem ꝓcessus & modus ꝓcedendi servetur in hujusmodi assisis mortis antecessoris, & juratis de utrū qui ꝑordinatus est & statutus in assisis nove disšeie, et eadem pena delinquentib⁹ & convictis infligat⁹. In aliis vero ꝺrib⁹, p que ten̄ petunt⁹ talis fiat ꝓcessus, qđ si p⁹mo die quo partes compuint in Cur̄ tenens ꝓponat excepc̄oem ꝑdcam, de conjuncto feoffamento, & petens offerat verificare, p Juratam patrie qđ die impetracōis ꝺris sui, ille qui excepc̄oem illam ꝓposuit fuit solus tenens, tunc idem ꝓcessus & modus ꝓcedendi servetur inter partes, quousq; Jurata inde inter eas tn̄sierit. Et si convincantur p Juratam qđ exceptio illa veracit⁹ fuit ꝓposita, tunc cassetur ꝺre petentis; Et si compiatur p Juratam qđ exceptio illa falso & in

[1] by our Writ, under their Teste, let the party absent, whom the Deed testifyeth to have been jointly enfeoffed with the Tenant that is present, to understand,

[2] *for that they were not enfeoffed of*

[3] such

[1] { juris de utrum / brevi de juris utrum } *Printed Copies.*

lesionem partis ꝓposita fuit, tunc petens recupet sēiam suam de tenementis petitis, & tenens puniatur ꝑ penam statutam supª in assisis nove disseīe, quoad p'sonam et quoad dampna, sc̄dm discrec̄oem Justic̄. Et volumꝰ & concedimus qđ istud statutum incipiat tenere locū in Crastino festi Sc̄i Petri ad vincula ꝓximo futur̄.

Quia etiam lites in Curia Xp̄ianitatis hactenus indebitas dilōnes multotiens sorciebantur, ꝑ hoc quod ꝺre nr̄m, quod vocatur Indicavit, Judiciꝭ taliū litiū in inicio eaꝝ delatum fuit, et sup hoc capitalis Justic̄ nr̄, ad consultac̄oem sup tali ꝓcessu faciendam, rite seu debito modo nequivit ꝓcedere; concordatum est qđ tale ꝺre Indicavit alicui deceꝑo non concedatur, anteqªm lis in Cur̄ Xp̄ianitatis inter partes fuit contestata, et qđ ꝑ inspecc̄oem libelli Cancellarius nr̄ sup hoc ꝺtioret'. In cujus rei testim̄ &c. T. R. apud Westm̄ xxvij. die Maii.

Istud statutū missum fuit Justic̄ de Banco, & in singulis Comitatibꝭ ꝑ Angł.

Et mandatum est ꝑfatis Justic̄, qđ statutum illud in dc̄o Banco publice fac̄ ꝓclamari, & qªntum ad ip̄os ꝓtinet firmiꝑ observari.

Eodem modo mand est singulis vicecomitibꝭ ꝑ Angł.

falsly alledged, and to the hindrance of the Party, then the Demandant shall recover his Seisin of the Tenements in Demand, and the Tenant shall be punished by the Pain above limited in Assises of Novel disseisin as to the Imprisonment, and as to the Damages, according to the Discretion of the Justices. And We will and grant, That this Statute shall take his Effect the morrow after the Feast of Saint Peter ad vincula next coming.

When the Writ of Indicavit shall be granted.

Forasmuch also as Pleas in Courts Spiritual heretofore had many Times unmeet Delays, for that our Writ that is called Indicavit was many Times brought before the Judges of such Matters when they were begun, and thereupon our chief Justices could not proceed lawfully, nor in due Manner to award a Writ of Consultation upon such Manner of Process; It is agreed, That such a Writ of Indicavit shall not be granted from henceforth to any, before the Matter hanging in the Spiritual Court between the Parties be [recorded,'] and that our Chancellor shall be certified thereof by the Sight and Inspection of the Libel. In Witness of which Thing [We have caused these our Letters to be Patent.] [I myself being witness[z]] at Westminster. Given the seven and twentieth Day of the Month of May, [the four and thirtieth Year of our Reign.]

This Statute was sent to the Justices of the Bench, and into the several Counties throughout England.

And It was commanded to the said Justices, that the said Statute they do publicly cause to be proclaimed in the said Bench, and, as much as to them doth belong, to be firmly observed.

In the same manner it was commanded to the several Sheriffs throughout England.

[y] *advanced to Contestation* [z] *Witness the King*

Ordinatio Foreste.*

AN ORDINANCE OF THE FOREST.

Ex magno Rot. Stat. in Turr. Lond. m. 34.

R. Om̄ibꝭ ad quos, &c. saltm. Dum imbecillitatis humane conspicimꝰ impfc̄m, ac oña longe lateq; diffusa nr̄is huñis incumbencia, attenta considerac̄oe pensamus, intus nimirum puncturis divsis torquemur, divsoꝝ cogitatuū fluctibꝭ agitati, & vexamur frequenꝑ, noctes ducendo insompnes, quid agendum, quid tenendū, quidve exequendum existat, inter ꝑcordia hesitantes; in eo tamen, qui supª cuncta tenens in excelsis impium, qui dat esse rebꝭ, & dispensat ꝓut vult muña grāꝝ, cum sapiencie sue magnitudinem humani non capiant intellectus, virtutes resumimus, spantes, qđ in serviciis suis ꝑficiat actus nr̄os, & sue bonitatis clemencia nr̄m misericordiꝑ videat & supleat impfectū, ut ip̄ius fulti ꝑsidio, ꝑ viam mandatoꝝ dñi dirigamur. Profecto inter om̄ia sollicitudini nr̄e & cure inherencia, circa illud ꝑcipue, nr̄a non inꝑmissive versatur intencio, ut subditis nr̄is regni nr̄i incolis, quietis & tⁿquillitatis dulcedinem ꝑparemus, in quoꝝ quiete quiescimus, & in eoꝝ tⁿquillitate, non sine suavitatis odore, in floribꝭ pacis desiderate, inꝑius confovemur. Sane ex fidęliū nr̄oꝝ relatibꝭ, & oppssoꝝ crebris clamoribꝭ, de quibꝭ nimia mentis cōmoc̄oe turbamur, didicimus, qđ ꝑ ministros forestaꝝ nr̄aꝝ, populus ejusdem regni miserabiliꝑ

THE King unto All to whom, &c. Greeting: While We behold the Imperfection of human weakness, and weigh with attentive consideration the burthens far and wide diffused that lie upon our shoulders, We are indeed inwardly tormented with divers compunctions, tossed about by the waves of divers thoughts, and are frequently troubled, passing sleepless nights; hesitating in our inmost soul upon what ought to be done, what to be held, or what to be prosecuted; Yet, under Him, who holding in Heaven the Empire over all things, bringeth every thing into existence, and dispenseth the Gifts of his Grace as it pleaseth him, while the Understandings of Men cannot conceive the greatness of his wisdom, We do resume our power; Trusting that He will perfect our Actions in his service, and in the clemency of his goodness will mercifully look upon, and supply our Deficiency; that We relying upon his protection, may be directed in the path of our Lord's Commandments. Truly among all the Things which rest upon our care and anxiety, about this chiefly is our mind busied without intermission, that We may prepare the pleasantness of ease and quiet for our Subjects dwelling in our Realm, in whose quiet we have rest, and in their tranquillity we are inwardly cherished with the Odours of satisfaction amidst the Flowers of hoped for Peace. We have indeed learned, from the information of our faithful Servants and the frequent cries of the oppressed, whereby we are disturbed with excessive Commotion of Mind, that the People of the said Realm are, by the Officers of our Forests, miserably oppressed, impoverished,

* This Title is from the Old Printed Copies, which omit the introductory Sentences previous to Chapter I. No Title appears on the Statute Roll.

and troubled with many wrongs, being every where molested. For sometimes the Accusations of the Forest, and Indictments, commonly so called, are made not by lawful Inquests of good Men and true of the Country, preceding them, as Justice doth require, but upon the Command of one or perhaps two of the Foresters, or upon the Command of one or perhaps two of the Verderers; who from hatred or otherwise maliciously, that they may extort Money from some one, do accuse or indict whom they will; and thereupon do follow grievous Attachments, and the innocent Man is punished, who hath incurred no Fault or Offence at all. Moreover the People is oppressed with the Multitude of Foresters and other Officers, who not having wherewithal to get their living by other means, must needs live upon the neighbourhood of the Forest; and what is worse, they do justify this their way of life in right of their place: Accordingly by selling and giving away, for such Victuals as they want, and in many ways diminishing, and suffering to be diminished the Wood in their Charge, or deputed to their Charge, and the Deer therein being, in successive Process of Time, they do destroy and annihilate the same, to the intolerable damage of Us and our Heirs. What further? It would be difficult to relate separately the Losses and Grievances which happen in these Matters, as We have heard them: Being therefore desirous to prevent such Oppressions and Grievances, which without heavy Scandal We can no longer suffer to pass with Indifference, by all ways and Means in our Power, and to provide with our most diligent endeavour for the Peace and Tranquillity of the Inhabitants of our Realm:

I. Presentments of Offences in the Forest.

FIRST, [We have ordained [1]] for ourselves and our Heirs, that ([2]) all Trespasses hereafter to be done in our Forests, of Green-hugh, and of Hunting, the Foresters within whose Bailiwicks such Trespasses shall happen to be committed, shall present the same at the next Swanimote before the Foresters, Verdors, Regardors, Agistors, and other Ministers of the same Forest; and upon such Presentations there before the Foresters, Verdors, ([3]) and all other Ministers aforesaid, by the Oath as well of Knights as of other lawful and honest Men of the nearest parts where the Trespass so presented shall be done, not suspected, the truth of the Matter shall be [lawfully [4]] enquired of; and the truth so enquired of, the same Presentations by the common accord and assent of all the Ministers aforesaid, shall be solemnly confirmed and sealed with their Seals. And if an Indictment be in any other manner, it shall be adjudged void.

II. Supplying of Officers.

AND if it happen any of the said Foresters, Regardors, or other Ministers of the same Forests do die, or by Sickness or other means to be hindred, whereby he cannot be present at the same Swanimote, presently the Justice of the same Forest, or his Lieutenant, shall put another in his place, so that the Indictment may be made by all in form aforesaid; and that the Officers which are to be placed, shall be put in as heretofore it hath been used to be, except the Verderors, who shall be ordained by Election, and by our Writ.

III. No Officer to be put on Juries, &c.

AND We will, that none of the foresaid Ministers shall hereafter be put in any Assises, Juries, or Enquests to be taken without the Forest.

IV. Punishment of Officers surcharging the Forest.

AND if there be any Surcharge found [of [5]] the Foresters, or by such other as take upon them to be Officers of the Forests, such Surchargers shall be removed and imprisoned according to the discretion of the Justice of the Forest, or his Lieutenant; and they by whom they were placed shall be also punished at our pleasure. And at every Swanimote Inquisition shall be ([6]) made of Surcharges of Foresters, and other Ministers of the Forest, and of their Oppressions done to our People; [and Reformation and Punishment shall be done [7]] as it is ordained before.

[1] *We do will and ordain* [2] *concerning*
[3] *Regardors, Agistors,* [4] *fully*
[5] *by* [6] *solemnly*
[7] and they shall make thereof Amends, and be punished,

opp'mitur, depaupatur, & diu̇sis afficit' injuriis, undiq; molestatus. Nonnunq; etenim fiunt accusac̃oes de Foresta, & indictac̃oes vulgarit̃ sic appellate, non p legitimas inquisic̃oes ꝑboꝝ & leg̃ hom̃ patrie ꝑcedentes, ut justicia requirit, set ad dc̃m unius vel forsan duoꝝ de forestariis, aut ad dc̃m unius, vel forsan duoꝝ de viridariis, qui ex odio, aut alias maliciose, ut ab aliquo pecuniam extorqueant, quenq;m accusant vel indictant, & exinde sequnt' attachiamenta g'via, & punit' innocens quem nulla om̃nio culpa seu delictum constringit. Opprimit' eciam populus ꝑ multitudine forestarioꝝ & alioꝝ Ministroꝝ, quos cum non ħeant unde aliunde vivant, p pr̃iam foreste adjacentem viv̇e oportebit eosdem, et quod est det̃ius, p jure officii sui vendicant, ut sic vivant: Isti nichilomin⁹, p suis victualib; quib; egent, boscum sue custodie, aut sub suis custodiis deputatum, & feras in eisdem existentes, vendendo, donando, & multiplicit̃ minuendo, ac minui ꝑmittendo, successivis dieꝝ ꝓcessib; destruūt & adnichilant, ad nr̃m & heredum nr̃oꝝ intollerabile detrimentū. Quid plura; dampna & g'vamina que circa hec ꝓveniūt, ut accepimus, difficile foret p singula enarrare:

Cupientes itaq; opp̃ssionib; & g'vaminib; hujusmodi, que absq; g'vi scandalo diutius sub dissimulac̃oe ꝑterire nequimus, modis & viis om̃ib; quib; possumus obviare, ac regni nr̃i incolaꝝ paci & t'nquillitati ꝑvigili studio ꝓvidere: Volum⁹ in primis & ordinamus, p nobis & heredib; nr̃is, qd̃ de t'nsgressionib; in forestis nr̃is, de viridi & venac̃oe deceꝑo faciendis, forestarii, infra quoꝝ ballivas hujusmodi t'nsgressiones fieri contig̃it, ꝑsentent easdem ad ꝓxima swanimota, coram forestariis, viridariis, regardatoribꝫ, agistatoribꝫ, & aliis eaꝝdem forestaꝝ ministris, et sup ꝑsentac̃oib; hujusmodi ibidem, coram forestariis, viridariis, & om̃ib; aliis ministris sup'dc̃is, p sac̃m, tam militum q'm alioꝝ ꝓboꝝ & leg̃ hom̃ de partib; vicinioribꝫ, ubi t'nsgressiones sic ꝑsentate fc̃e fuṙint, non suspectoꝝ, veritas plenius inquirat', et sic inquisita veritate, ꝑsentac̃oes ille p c̃om concordiam & assensum om̃ Ministroꝝ ꝑdc̃oꝝ sollempnit̃ roborentur, & sigillis suis sigillentur. Et si alio modo fiat indictamentū, p nullo penitus ħeatur.

Et si aliquem ꝑdc̃oꝝ forestarioꝝ, regardatoꝝ, aut alioꝝ ministroꝝ forestaꝝ ip̃aꝝ, obire contingat, seu p eg'tudinem vel alio modo impediri, quominus int̃esse valeat hujusmodi swanimotis, incontinenti Justic̃ foreste, seu locum ejus tenēs, ponat aliū loco suo, Ita videlicet qd̃ indictamentū fiat p omes in forma ꝑdc̃a, qd̃q; ministri qui ponendi sunt ponant' sicut hactenus fieri consuevit, exceptis viridariis, qui p electc̃oem, & p ṫre nr̃m deputabunt'.

Et volumus qd̃ nullus Ministroꝝ ꝑdc̃oꝝ in assisis, juratis, seu inquisic̃oib;, extra forestam capiendis, deceꝑo ponatur.

Et si supoñatio forestarioꝝ, aut alioꝝ, qui se gerunt ut Ministros foreste, inveniat', amoveantur hujusmodi supoñantes, & imprisonentur sc̃dm discrec̃oem Justic̃ foreste vel ejus locum tenentis, necnon & illi p quos positi fuant, ad voluntatem nr̃am similiter puniantur. Et ad quodlibet swanimotū inquirat' sollempnit̃ de supoñac̃oe forestarioꝝ, & alioꝝ Ministroꝝ foreste & de eoꝝ opp̃ssionib; populo nr̃o illatis, & fiat inde emende & punic̃oes, ꝓut supius est exp̃ssum.

Quoad illos vero qui, tempore quo foresta deafforestata fuit, t^a^nsgressiones de viridi aut venac̃oe in foresta fecerunt, quia deafforestac̃oem eandem & ut sentencia excõicac̃ois in cont^a^venientes fulminaret^r^ q^a^mq^a^m de nr̃a bona voluntate minime ꝑcessisset, concessimus, quam quidem sentenciam dñs sūmus pontifex, postmodum revocavit, & quas concessionem & deafforestac̃oem ex c̃tis causis revocamus, & eciam adnullam⁹, volum⁹ qđ t^a^nsgressiones hujusmodi ꝑdonentur, t^a^nsgressionib̃ꝫ illis exceptis, que in ea parte [que foresta [1]] remansit cōmisse fuerunt. Ita tamen qđ haye & fossata fc̃a medio tempore ꝑsternāt^r^ & penitus amoveant^r^ & adnichilentur, salvis arentac̃oibꝫ nr̃is, quas sc̃đm assisam foreste volum⁹ remanere. Boscus autem cesus & ꝑstratus amoveatur, et boscus stans, remaneat in foresta. Et si forte aliquis talis boscus adhuc stans sit venditus, in foresta remaneat, et venditor satisfaciat emptori, juxta q^a^ntitatem porcionis bosci stantis in foresta, & talit̃ medio tempore venditi, & ꝑut ceꝑit de eodem.

Volum⁹ eciam qđ Justic̃ foreste nr̃e, vel ejus locum tenens, in p̃sencia Thes̃ nr̃i, & ꝑ assensum ejusdem, ħeat potestatem capiendi fines & redempc̃oes illoꝝ qui sunt inđc̃ati, de t^a^nsgressionibꝫ usq; nūc in foresta cōmissis, Itinere Justic̃ minime expectato. Volum⁹ insuꝑ qđ illi qui cõem pasturam in foresta, ante ꝑambulac̃oem fc̃am ħebant, et qui sunt postea repositi in foresta, quiq; de dc̃a cōmuna, ꝑ ꝑambulac̃oem p̃dc̃am fu̅ant impediti, habeant cõem pasturam decet̃o in forestis, adeo large & libere, sicut ante ꝑambulac̃oem fc̃am habere solebant; Salvis arentac̃oibꝫ nr̃is in forma p̃dc̃a. In cujus &c. T.R̸. apud Westm̄ xxvij die Maij.

Consimiles litt̃e misse fuerunt ad singulos Comitatus ꝑ Angł.

Et manđ est singulis vicecomitibꝫ ꝑ Angł, qđ litt̃as illas, in plenis Comitatibꝫ suis, legi, & ordinac̃oem R̸ in eisdem contentam publice fac̃ ꝑclamari.

R̸ Justic̃ foreste sue ultra Trentam [vel ejus locū tenenti [2]] sałtm. Dum imbecillitatis &c. Salvis arentac̃oibꝫ in forma p̃dc̃a. Et ideo vobis mandamus qđ ordinac̃oem nr̃am p̃dc̃am, in balliva vr̃a fac̃ publice ꝑclamari, & eam decet̃o, in om̄ibꝫ & singulis suis art^i^clis observetis, & ꝑ totam ballivam vr̃am, faciatis firmit̃ & inviolabilit̃ observari. T. ut sup^a^.

Eodem modo scribit^r^ Justic̃ foreste R̸ citra Trentam, vel ejus locum tenenti.

[1] [2] } Interlined on the Roll.

V. Trespassers in Grounds disafforested.

AS touching them that [commit [1]] Trespasses of Green-hugh, or Hunting ([2]) at such Times as the Forest was disafforested; ([3]) We will that those Offences shall be pardoned, saving such Trespasses which were committed in that Part which [doth [4]] remain Forest; yet so, as that the Hedges and Ditches made in the mean time shall be wholly cast down, removed, and avoided; saving our Arrentations, which We will have remain according to the Assise of the Forest. The Wood which is felled and cut down shall be removed; and the Wood which is standing shall remain in the Forest. And if any such Wood yet standing be sold, it shall remain in the Forest, and the Seller shall satisfy the Buyer according to the quantity of the Wood standing in the Forest, and so sold in the mean time, ([5]) as he received of him.

Sale of Wood therein.

VI. Common in the Forest.

WE will also, That our Justice of the Forest, or his Lieutenant, in the Presence of our Treasurer, and by his Assent, shall have Authority to take Fines and [Amerciaments [6]] of those which be indicted for Trespasses committed in our Forests, ([7]) and not tarry for the Eyre of the Justice. And moreover We will, that they which had Common of Pasture in the Forest before the Perambulation was made, and which were after returned into the Forest, and that were restrained of Common by the said Perambulation, shall have their Common of Pasture hereafter in the Forest, as freely and largely as they were wont to have before the Perambulation made; Saving our Arrentations in Form aforesaid. In Witness whereof, &c. at Westminster, [28 die Maii, anno 34 Edwardi primi.[8]]

Like Letters were sent to the several Counties throughout England.

And It was commanded to the several Sheriffs throughout England, that they cause those Letters to be read in their full County Courts, and the Ordinance of the King contained in the same to be publickly proclaimed.

The King to the Justice of his Forest on the other side of the Trent, or to his Lieutenant, Greeting. "While We, &c. Saving our Arrentations in form aforesaid." And therefore We command you, that our Ordinance aforesaid, in your Bailiwick you do cause to be publickly proclaimed, and the same from henceforth in all and singular its Articles you do observe, and throughout your whole Bailiwick do cause to be firmly and inviolably observed. Witness as above.

In the same manner it is written to the Justice of the Forest on this side of Trent, or to his Lieutenant.

[1] *committed* [2] *in the Forest*

[3] *Inasmuch as We ourselves granted the said Disafforestation, and that Sentence of Excommunication should be pronounced against those who contravened the same, although the same little proceeded from our good will, which Sentence indeed our Lord the Pope afterwards revoked, and which Grant and Disafforestation We, for certain causes, do revoke and annull;*

[4] *did* [5] *and*

[6] Redemptions [7] before this time,

[8] *the twenty-seventh day of May.*

Anno 35° EDWARDI, I. A.D.1306-7.

Statutum Karliol.*

THE STATUTE OF CARLISLE.

Causes of Erection of Abbies.

OF late it came to the Knowledge of our Lord the King, by the grievous Complaint of the honourable Persons, Lords, and other Noblemen of his Realm, that whereas Monasteries, Priories, and other Religious Houses were founded to the honour and glory of God, and the advancement of the Holy Church, by the King and his Progenitors, and by the said Noblemen and their Ancestors, and a very great Portion of Lands and Tenements have been given by them to the said Monasteries, Priories, and Houses, and the Religious Men serving God in them, to the Intent that Clerks and Laymen might be admitted in such Monasteries, Priories, and Religious Houses, according to their sufficient Ability, and that sick and feeble Men might be maintained, Hospitality, Almsgiving, and other charitable Deeds might be [done, and that in them Prayers might be said [1]] for the Souls of the said Founders and their Heirs; the Abbots, Priors, and Governours of the said Houses, and certain Aliens their Superiours, as the Abbots and Priors of [2] Cestercienses, and Premonstratenses, and of the [Order [3]] of St. Augustine, and St. Benedict, and many more of other Religion and Order, have [at their own Pleasures set [4]] divers unwonted, heavy, and importable Tallages, Payments, and Impositions upon every of the said Monasteries and Houses in Subjection unto them in England, Ireland, Scotland, and Wales, without the Privity of our Lord the King and his Nobility, contrary to the Laws and Customs of the said Realm; and thereby the Number of Religious Persons, and other Servants in the said Houses and Religious Places being oppressed by such Tallages, Payments, and Impositions, the Service of God is diminished, Alms [being not given to [5]] the Poor, the Sick, and Feeble, the Healths of the Living and the Souls of the Dead be miserably defrauded, Hospitality, Almsgiving, and other godly Deeds do cease; and so that which in Times past was charitably given to godly uses, and to the increase of the Service of God, is now converted to an evil [end;[6]] by Permission whereof [7] there groweth great Scandal to the People, and infinite Losses [and Disheritances are like to ensue to [8]] the Founders of the said Houses

[1] *exercised and done in them*
[2] *the Orders of Cluniacenses,* [3] *Orders*
[4] *newly appointed to be made, and at their own pleasure ordained*
[5] *are withheld from* [6] *Tax;*
[7] *besides those things which are before mentioned,*
[8] *are well known to have ensued, and are still like to ensue, to the Disherison of*

Ex magno Rot. Stat. in Turr. Lond. m. 33.

NUP ad noticiam dñi Regis, ex g[a]vi querela Magnatum, ꝑlium, & alioꝝ nobiliū regni sui, ꝑvenit, qđ cum Monasteria, Prioratus, & domus religiose, ad laudem & honorē dei, & ad exaltac̃oem sc̃e ecclie, ꝑ Regem & ꝑgenitores suos, & ꝑ dc̃os Magnates & nobiles & eoꝝ antecessores fundata fuissent & terre & tenementa q[a]mplurima essent data ꝑ iꝑos dc̃is Monasteriis, Prioratibꝫ, & domibꝫ, ac viris religiosis in eisdem Deo servientibꝫ, ut in hujusmodi Monasteriis (1) & domibꝫ religiosis, tam Clerici q[a]m laici admitt[ꝑ]entur, sc̃dm suaꝝ sufficienciam facultatum, & infirmi ac debiles sustentarent[r], hospitalitates, elemosinaꝝ largic̃oes, & alia pietatis [opa,[2]] exc̃ercent[r], & ꝑ animabꝫ ꝑdc̃oꝝ fundatoꝝ, & heredū suoꝝ fierent in eisdem: Abbes, Priores & Custodes eaꝝdem domoꝝ, & quidam eoꝝ supiores alienigene, utpote Abbes & Priores Cluniacen̄, Cistertien̄, & [ꝑmostrā -[3]] & Sc̃oꝝ Augustini & Benedci ordinū, & ceꝛi q[a]mplures, alterius religionis & ordinis, novit ꝑ singula Monasteria, & domos eis subjecta in Angl, Hibn̄, Scocia, & Wallia, diꝛsa tallagia, census & imposic̃oes insolitas, g[a]ves & importabiles, dño Rege Magnatibusq, suis inconsultis, fieri statuerunt, & ꝑ suo libito ordinarunt, cont[a] leges & consuetudines dc̃i regni; ex quo fit, ut nuꝛis religiosoꝝ, & alioꝝ ꝓvitoꝝ, in hujusmodi domibꝫ, & locis religiosis, ꝑ tallagia hujusmodi, census & imposic̃oes oppꝛssis, minuit[r] cultus divinus, & alimonie paupibꝫ, infirmis & debilibꝫ subtrahunt[r]; & salutes vivoꝝ, & anime mortuoꝝ miserabiliꝛ defraudant[r], hospitalitates, elemosinaꝝ largic̃oes, ac ceꝛa cessant opa caritatis; sicq, quod olim in usus pios, & ad divini cultus augmentum, caritative fꝛant erogatum, jam in censum rep̃bum est conꝛsum; unde, ꝑter ea que ꝑmittunt[r], scandalum non modicū crescit in populo, & dampna innumꝛa, in exheredac̃oem ꝑdc̃oꝝ fundatoꝝ ac heredum

[1] Prioratibꝫ
[2] oꝛa
} *Exempl. pro Scot.*
[3] ꝑmostracen̄ *Vetus Codex.*

* In the Old Printed Copies this Statute is intituled 'Statutum de Asportatis Religiosorum.' In Cay's Edition of the Statutes it is intituled 'Statutum de Apportis Religiosorum.' It is entered in the Vetus Codex fo. 127, *b*: In fo. 150 of the same Codex is an Entry of other Proceedings on the Subject, in this Parliament of 35 Edw. I., to which reference is made in the Statute of Provisors 25 Edw. III. An Exemplification of this Statute, marked on the Label for the Seal 'Mittat[r] in Scot.' is preserved among the Records of the Receipt of the Exchequer, in the Chapter House at Westminster. The Various Readings from this Exemplification are marked *Exempl. pro Scot.* In the Tower of London is preserved a Transcript of the Act 33 Edw. I., which agrees exactly with the Recital thereof in the Text, beginning 'Ne quis Abbas,' ending with the words 'forisfac̃e poꝛunt in futurū,' and bearing Teste as follows: 'T. ꝓ apud Karlm̄ xx. die Marcii anno regni ꝓ nūc t'cesimo ꝓcio.'

suoꝝ, ꝑcul dubio· ꝓvenisse noscunt', & adhuc verisimiliter ꝑsumit' ꝓvenire, nisi tantis & tam g'vib3 detrimentis, celeri & salubri remedio obvietur: Considerans igit' ꝑfatus dñs Rex, sibi & populo suo valde fore dampnosum, si tam g'ndes jacturas & insolencias sustineret diutius sub dissimulacõe· t'nsire, volensq; idcirco Monasteria, Prioratus, & alias religiosoꝝ domos & loca in regno & ꝑris, dñio suo subjectis, constituta, sc̃dm voluntatem & pia vota fundatoꝝ ipsoꝝ manutenere & defendere, & cont' hujusmodi opꝑssiones de congruo remedio ꝓvidere decet̃o, ut tenet', de consilio Comitū, Baronū, Magnatū, ꝑcum, & alioꝝ nobilium, & regni sui cõitatum, in parliamento suo apud Westm̃, die dñica ꝓxima post festum sc̃i Mathie apli, anno regni sui Tricesimo ꝑcio ñito, ordinavit & statuit:

Ne quis Abbas, Prior, Magr̃, Custos seu quivis alius religiosus, cujuscumq; condicc̃ois, seu status aut religionis existat, sub potestate & dicc̃oe sua constitutus, censum aliquem p supiores suos, Abbes, Priores, Magr̃os, Custodes religiosaꝝ domoꝝ vel locoꝝ impositum, vel int̃ se ipos aliqualit̃ ordinatum, ext' regnū & dñium suū, sub nõie redditus, tallagii, apporti, seu imposicc̃ois cujuscūq;, vel alias nõie escambii, vendicc̃ois, mutui, vel alterius contractus, quocūq; nõie censeat', ꝓ se vel ꝓ m̃icatores aut alios, clam vel palam, arte vel ingenio, [deferat'] vel t'nsmittat, seu deferri faciat quoquomodo; nec eciam ad partes ext'as se diṽtat, causa visitacc̃ois aut alio colore quesito, ut sic bona Monasterioꝝ & domoꝝ suaꝝ, ext' regnū.& dñium ꝑdc̃m adducat. Et si quis cont' ꝑsens statutum venire ꝑsumpserit, considerata qualitate delicti & regie ꝓhibicc̃ois pensato contemptu, g'vit̃ puniat'.

Pret̃ea inhibet ꝑfatus dñs Rex om̃ib3 & singulis Abbatib3, Prioribz, Magr̃is, Custodib3 religiosaꝝ domoꝝ, & locoꝝ alienigenis, quoꝝ potestati, subjecc̃oi, & obediencie, domus eoꝝdem ordinū, in regno & dñio suo existentes subdunt', ne decet̃o tallagia, census, imposicc̃oes, apporta, seu alia quecumq; onꝛa, aliquib3 Monasteriis, Prioratib3, seu aliis domib3 religiosis, eis ut ꝑdicitur sic subjectis, imponant, vel faciant aliqualit̃ assidere; et hoc sub forisfc̃ura oĩm que in potestate sua optinent & forisfac̃e pot̃unt in futurū.

Et insup ordinavit dñs Rex & statuit, qd̃ Abbes Cistertien̄, & Premostracen̄ ordinū, & alioꝝ religiosorum, quoꝝ sigillum in custodia Abbis, & [non '] Conventus prius residere tm̃modo consuevit, decet̃o habeant sigillum cõe, & illud in custodia Prioris Monast'ii, sive domus, & q'tuor de dignioribz, & discrecioribz ejusdem loci Convent', sub privato sigillo Abbis ipius loci custodiend̄ deponant; Ita qd̃ Abbas, seu Supior domus cui ꝑest, ꝓ se contractum aliquem, seu obligac̃oem nullatenus possit firmare, sicut hactenus fac̃e consuevit. Et si forsan aliqua sc'pta obligatoria donacionū, empcionū, vendicionum, alienacionū, seu alioꝝ contractuū quoꝝcumq;, alio sigillo, q'm tali sigillo cõi, sicut ꝑmittit' custodito, inveniant' amodo sigillata, ꝓ nullis penit' habeant', omniq; careant firmitate. Cet̃um intenc̃ois dñi Regis non existit, Abbes, Priores, & alios

[1] t'nsferat *Exempl. pro Scot.*

[a] { Interlined on the Roll: *Exemplif. pro Scot.* and *Vetus Codex* insert.

and their Heirs, unless speedy and sufficient Remedy be provided to redress so many and grievous Detriments: Wherefore our foresaid Lord the King, considering that it would be very prejudicial to him and his People if he should any longer suffer so great Losses and Injuries to be winked at, and therefore being willing to maintain and defend the Monasteries, Priories, and other Religious Houses ([1]) erected in his Kingdom, and in all Lands subject to his Dominion, ([2]) and from henceforth to provide sufficient Remedy to reform such Oppressions, as he is bound, by the Counsel of his Earls, Barons, Great Men, and other Nobles ([3]) of his Kingdom in his Parliament holden at Westminster, [in the five and thirtieth year of his Reign, hath ordained and enacted:[4]]

An Act made in 33 Edw. I.

II. Recital of the said Act 33 Ed. I: Religious Persons shall send no Tax, &c. beyond the Sea.

"THAT no Abbot, Prior, Master, Warden, or other Religious Person, of whatsoever Condition, State, or Religion he be, being under the King's Power or Jurisdiction, shall by himself, or by Merchants or others, secretly or openly, by any [Device or Means,[5]] carry or send, or by any Means cause to be sent, any Tax imposed by the Abbots, Priors, Masters, or Wardens of Religious Houses ([6]) their Superiors, or ([7]) assessed amongst themselves, out of his Kingdom and his Dominion, under the Name of a Rent, Tallage, ([8]) or any kind of Imposition, or otherwise [by the way[9]] of Exchange, [mutual Sale,[10]] or other Contract howsoever it may be termed; neither shall depart into any other Country for Visitation, or upon any other Colour, by that Means to carry the Goods of their Monasteries and Houses out of the Kingdom and Dominion aforesaid. And if any will presume to offend this present Statute, he shall be grievously punished according to the quality of his Offence, and according to his Contempt of the King's Prohibition.

III. Impositions shall not be assessed by Priors Aliens.

"MOREOVER, our foresaid Lord the King doth inhibit all and singular Abbots, Priors, Masters, and Governors of Religious Houses and Places, being Aliens, to whose Authority, Subjection, and Obedience the Houses of the same Orders in his Kingdom and Dominion be subject, that they do not at any time hereafter impose, or by any means assess any Tallages, Payments, [Charges,[11]] or other Burdens whatsoever, upon the Monasteries, Priories, or other Religious Houses in Subjection unto them as is aforesaid; and that upon [pain of all that they have or may forfeit.[12]]"

IV. The Common Seals of Abbeys.

AND Further, our Lord the King hath ordained and established, That the Abbots of the Orders of Cestercienses and Premonstracenses, and other religious Orders, whose Seal hath heretofore been used to remain only in the Custody of the Abbot, and not of the Covent, shall hereafter have a common Seal, and [that shall remain[13]] in the Custody of the Prior of the Monastery or House, and Four of the most worthy and discreet Men of the Covent of the same House, to be laid up in safe keeping under the private Seal of the Abbot of the same House; [so that the Abbot or Prior, which doth govern the House, shall be able of himself to establish nothing, though heretofore it hath been otherwise used.[14]] And if it fortune hereafter, that Writings [of Obligations,[15]] Donations, Purchases, Sales, Alienations, or of any other Contracts, be ([16]) sealed with any other Seal than such a common Seal kept as is aforesaid, they shall be adjudged void and of no force in Law. But it is not the meaning of our Lord the King to exclude the Abbots, Priors, and other

[1] *and Places*

[2] *according to the will and pious wishes of their Founders,*

[3] *and of the Commons*

[4] *on the Sunday next after the Feast of St. Matthias the Apostle, in the three and thirtieth year of his Reign, did ordain and enact:*

[5] *art or device* [6] *or Places,* [7] *in any way*

[8] *Tribute* [9] *in the name* [10] *Sale, Loan,*

[11] *Impositions, Tributes,*

[12] *forfeiture of all that they have in their power, and can forfeit in future.*

[13] *shall deposit the same*

[14] *so that the Abbot, or Superior of the House which he doth govern, shall by no means be able of himself to establish any Contract or Obligation, as heretofore he hath used to do.*

[15] *obligatory of* [16] *found*

Abbots Aliens may visit their Houses in England.

Religious, Aliens, by the Ordinances and Statutes aforesaid, from executing their Office of Visitation in his Kingdom and Dominion; but they may visit at their Pleasures, by themselves or others, the Monasteries and other Places in his Kingdom and Dominion in Subjection unto them, according to the Duty of their Office, in those Things only that belong to regular Observation and the Discipline of their Order. Provided, that they which shall execute this Office of Visitation, shall carry, or cause to be carried out of his Kingdom and Dominion, none of the Goods or Things of such Monasteries, Priories, and Houses, saving only their reasonable and competent Charges.

Commencement of the Operation of the Statutes.

And though the Publication and open Notice of the Ordinances and Statutes aforesaid was stayed in suspence, for certain Causes, sithence the last Parliament, until this present Parliament holden at Carlisle in the Octaves of St. Hilary, in the five and thirtieth year of the Reign of the same King Edward, (1) to the Intent that they might proceed with greater deliberation and advice; Our Lord the King, after full conference and debate had with his Earls, Barons, Nobles, and other great Men (2) of his Kingdom, touching the Premisses, by their whole Consent and Agreement hath ordained and enacted, that the Ordinances and Statutes aforesaid, under the Manner, Form, and Conditions aforesaid, from the First Day of May next ensuing, shall (3) be inviolably observed (4) for ever, and the Offenders of them shall [be punished as is aforesaid.]

The like Statute, word for word, is sent into all the Counties throughout England.

The King to the Sheriff of Salop, Greeting. Whereas, for the common Weal of the People of our Realm, and the Amendment of the State of our whole Dominion, in our present Parliament at Carlisle, with the advice of our great Men and Nobles, We have made certain Statutes, which We do send you signed to be observed, We do command you, firmly injoining, that the same, in two of your County Courts you do cause to be openly read and recited, and the same in all and singular their Articles to be inviolably observed, and this in no wise omit. Witness the King at Carlisle, the Twentieth day of March.

Like Writs are sent to every Sheriff throughout England.

The King, to his well beloved in Christ the Abbot of Waverley, Greeting. Whereas for the common Weal of the People of our Realm, &c. as above. We do command you, firmly injoining, that the same every year twice in a full Chapter of your House you do cause to be openly read and recited, and in all and singular their Articles, under the pain in the said Statutes contained, to be inviolably observed. Witness as above.

The aforesaid Statute was sent, with the King's Letters Patents in form aforesaid, to the Abbots of the Places underwritten, viz.

Egliston	Fountains	Gerwedon
St. Agatha	The Rock	To the Prior of
Jeroval	Wellbeck	Spalding.
Bella Landa	Rughford	

Four like Letters, at the Instance of the Prince, to be directed to certain Abbots in Wales.

religiosos alienigenas, p ordinacões & statuta exp̃ssa supius, ab officio visitacõis in regno & dñio suis exc̃cendo excludere; quin p se ip̃os vel alios, Monasteria & alia loca, eis in regno & dñio suis p̃dc̃is, subjecta, juxta officii sui debitum, in hiis dūtaxat que ad observanciam regularem, & ordinis sui disciplinam ꝑtinent, liʙe valeant visitare. Proviso qđ illi, qui officiū hujusmodi visitacõis exc̃cuerint, nichil de bonis aut reb̃ hujusmodi Monast̃io᷒, Prioratuū, & domo᷒, ext[a] p̃fatum regnū & dñium, p̃ter rõnabiles & moderatas eo᷒ expensas, deferant vel deferri ꝑcurent. Et licet Ordinacionū & statuto᷒ prescriptо᷒ ꝑnunciacio & publicacio, a parliamento ꝑximo p̃ito, usq; ad p̃sens parliamentū apud Karliolum in Octabis sc̃i Hillarii, anno regni ejusdem dñi Regis Edwardi Tricesimo quinto, c̃tis ex causis, & ut cum majori deliberac̃õe & maturitate ꝑcederent, remanserint in suspenso, dñs Rex, post deliberac̃õem plenariam & tractatum cum Comitib̃, Baronib̃, ꝑcib̃, & aliis nobilib̃, ac cõitatib̃ regni sui, ħitum in p̃missis, de consensu eo᷒ unanimi & concordi ordinavit & statuit, ut ordinacões & statuta p̃dc̃a, sub forma, modis, & condic̃oib̃ sup[a]contentis, a p'mo die Maii ꝑximo futuro in antea, inviolabiliᵭ observent[b], ꝑpetuis temporib̃ valitura; qđq; t[c]nsgressores ip̃o᷒, penis extunc subjaceant annotatis.

Consimile Statutum, de verbo ad verbum, mittit[c] in singulis Comitatib̃ p Angł.

Rex Vic̃ Salop̃, Salꝛtm. Quia ad cõem populi regni nr̃i utilitatem, & totius dominii nr̃i status melioirac̃õem, in instanti parliamento nr̃o apud Karliolum, de consilio Magnatum & ꝑcum nr̃o᷒, quedam edidimus statuta, que tibi signata mittim⁹ obs̃vanda, tibi p̃cipim⁹ firmiᵭ injungentes, qđ ea in duob̃ Comitatib̃ tuis publice leg̃e & recitare fac̃, & ea in singulis suis articulis inviolabiliᵭ observari, & hoc nullatenus omittas. T.R. apud Karłm xx die Marcii.

Conſ bŕia mittunt' singłis Vic̃ p Angł.

ꝑ dic̃o sibi in Xp̃o Abbati de Wav̄le, salꝛtm. Quia ad cõem populi regni nr̃i utilitatem &c. ut sup[a]; vobis mandamus firmiᵭ injungentes, qđ ea quolibet anno bis, in pleno Capitulo domus vr̃e, publice leg̃e & recitare faciatis, & in singulis suis artic̃is, sub pena in p̃dc̃is statutis contenta, inviolabiliᵭ observari. T. ut sup[a].

Sup[a]dc̃um statutū missum fuit, cū litt̃is ꝑ patentib̃ in forma p̃dc̃a, Abbatib̃ loco᷒ subsc'pto᷒ videlicet;

De Eglistoñ	De Fontib̃	De Gerwedoñ
De Sc̃a Agatha	De Rupe	Priori de Spaldyng.
De Jerovall	De Wellebek	
De Bella Landa	De Rughford	

Quatuor paria łra᷒, ad instanciam Principis dirigenda quib̃dam Abbib̃ in Wallia.

(1) *and*
(2) *and the Commons*
(3) *henceforward*
(4) *and available*
[a] *thenceforth be subjected to the pains prescribed.*

STATUTES OF KING EDWARD THE SECOND.

Anno 2° EDWARDI, II. A.D.1309.

De Prisis injust' non capiend' a Viris Ecclesiastic' seu aliis.*

OF THE NOT TAKING UNDUE PRISES FROM ECCLESIASTICAL PERSONS OR OTHERS.

Ex magno Rot. Stat. in Turr. Lond. m. 33.

R. Vic' Eborz, Saltm. Ex gravi querela ppli regni nri p varias peticões suas coram nob & consilio nro in psenti pliamento nro apud Westm porrectas, intelleximus, qd tam viri religiosi cet'eq, psone eccliastice, q'm alii incole regni nri p frequentes & divsas capcões, asportacões, & abducções, bladaz, equoz, carectaz, boum, vaccaz & aliozz averioz & bonoz suoz, p quosdam ministros nros ac plures alios fcas, ac p frequentes adventus Magnatum & Ministroz nroz, & eozdem Magnatū ad domos & mañia religiosoz & aliaz psonaz eccliasticaz ibidem hospitand, & bona sua ibidem inventa cont' voluntatem suam consumendo, necnon p alia onera indebita hactenus multiplicit' opprimebant' & depaupabant', & de die in diem p hujusmodi capcões, & advent', ac extorsiones, & ona intolerabilia in tantū opprimunt', & gravant', qd cultus divin', hospitalitates, & alia opa caritatis alicubi diminuunt', & alicubi cessant, & totalit' subtrahunt': Nos igit' qui statū ecclie Anglicane, & ppli regni nri manutenere, & de hujusmodi oppssionibz & dispendiis defendere tenem', Volentes sup hiis & aliis consimilibz gravaminibz remediū apponle opportunū, advertentesq, utile fore qd statutū tempore dñi E. quondam Regis Angt' pris nri anno regni sui tcio apud Westm cont' hujusmodi delinquentes editū, in ombz suis articulis observet', & qd cont'venientes p penas in eodem statuto contentas juxta eoz demita puniant', p quod quidem statutū sic est ordinatū; qd nullus in aliqua domo religiosoz ad sumptus ejusdem domus, que de altius advocacõe, q'm de sua ppria existat, p'ndere veniat, seu etiam hospitari, nisi p Rectorē ejusdem domus ad hoc ante adventū ejus ibidem spalit' fuit requisitus; Nec eciam ad sumptus suos pprios cont' bonam voluntatem rectoris ejusdem; Et p hoc non intelligit' qd gra hospitalitatis subtrahat' egenis, nec qd patroni hujusmodi domoz valeant domos illas supollare seu destruere quoquo modo. Et qd nullus colore parentele, specialitatis aut affinitatis alicujus, nec aliqua alia de causa in pco altius fuget, nec in vivaris altius piscet', seu in domibz aut mañiis Prelatoz, aut religiosoz, vel alioz quozcumq, ad sumptus dñoz mañioz eozdem, vel ad sumpt' suos pprios, hospitari psumat, cont' voluntatem & licenciam dñoz eozdem, vel Ballivoz suoz mañioz pdcoz; Et si quis fortassis aliquod hujusmodi mañium vel domū, p g'tum vel sine g'to dñi mañii vel dom' illius seu Ballivi sui, ingrediat', nullas fenestras seu ostia aut aliquas alias seruras p se nec p alium apire vel frangle faciat, nec victualia aut aliqua alia bona capiat colore empcõis, nec alio quovismodo. Et eciam qd nullus blada aliqua triturare, & ea seu victualia, aut aliqua alia bona

THE KING to the Sheriff of York, Greeting. From the grievous Complaint of the People of our Realm by their several Petitions exhibited before Us in our present Parliament at Westminster, We have understood, That as well Men of Religion and other Ecclesiastical Persons as other Inhabitants of our Realm, by the frequent and various taking, carrying, and driving away of Corn, Horses, Carts, Oxen, Cows, and other their Goods and Chattels, by certain our Ministers and others done, and through the frequent Resorts of Great Men, and of the Officers of Us, and of the said Great Men, to the Houses and Manors of Men of Religion and other Ecclesiastical Persons, by lodging there, and by consuming their Goods there found against their Will, and moreover through other undue Burdens, they have been hitherto manifoldly oppressed and impoverished, and from Day to Day by such Takings and Resorts and Extortions, and intolerable Burdens are so much oppressed and grieved, that Divine Worship, Hospitalities, and other Works of Charity in some Places are diminished, and in some Places do cease, and are wholly withdrawn: We therefore, who are bound to maintain the State of the Church of England, and of the People of our Realm, and to defend them from such Oppressions and Expences, Willing, with regard to these and other like Grievances to afford convenient Remedy, and considering that it would be useful that the Statute, in the Time of the Lord Edward, formerly King of England, our Father, in the Third Year of his Reign at Westminster, against such Delinquents made, should be observed in all its Articles, and that the Offenders should be punished by the Pains in the said Statute contained, according to their Demerits; by which said Statute it is thus ordained;

Recital of the Provisions in *Stat. Westm* 1. *3 Edward I. chapter* 1.

"That none shall come to eat or lodge in any House of Religion of any other's Foundation than of his own, at the Costs of the House, unless he be specially requested by the Governor of the House before his coming thither; nor yet at his own Costs against the Will of the Governor of the same: And by this it is not intended that the Grace of Hospitality should be withdrawn from such as need, nor that the Founders of such Houses should overcharge or grieve them in any Way. And that none by colour of any Kindred, Specialty, or Alliance, or by any other Occasion shall course in another's Park, nor fish in another's Pond, nor presume to lodge in the Houses or Manors of Prelates, or Religious Persons, or others whomsoever, at the Costs of the Lords of the said Manors, or at their own Costs, against the Will or Leave of the said Lords, or their Bailiffs of their Manors aforesaid; and if any do chance to enter any such Manor or House with the good Will, or against the Will of the Lord of such Manor or House, or his Bailiff, he shall cause no Window or Door, nor nothing that is shut, to be opened or broken by himself nor by any other, nor no manner of Victual, nor other Thing shall take by colour of buying nor otherwise: And that none shall presume to thrash Corn, nor to take, carry, or drive away the same, nor any

* This Title is in the Margin of the Entry of a Writ to the Sheriff of Lincoln, on *Rot. Claus.* 9 *Edw. II. m.* 12 *d.* the Contents of which are very similar to the Text, as above printed from the Statute Roll; on which latter Roll this Instrument is entered immediately after the last Statute of Edward I. and on the same Membrane of the Roll: It is not inserted in any Copy of the Statutes, printed previous to the Year 1800, except in Hawkins's Edition.

Victuals nor other Goods of Prelates, or Men of Religion, Ecclesiastical Persons, Clerks, nor Lay Persons, by colour of buying or otherwise, within Market Town or without; nor Horses, Oxen, Waggons, Carts, Ships, nor Barges of any, to make Carriage against the Will of them to whom the Things belong, or of the Keepers of the same; and if any do any such Thing by the Assent of the Party, then incontinent he shall pay according to the Covenant made between them. And also that all they that offend against the Premises or any of them, and thereof be attainted, shall be committed to Prison and be punished according to the Quantity and Manner of the Trespass, and after as our Court shall think convenient; and that if they to whom such Trespass was done will sue, the Damage which they have received shall be awarded and restored to them to the Double, and they that have done the Trespass shall be likewise punished in the Manner aforesaid: And altho' none will sue in this Behalf We shall have our Suit against such Trespassers as for a Thing committed against our Commandment, and our Peace. And We shall make Enquiry from Year to Year what Persons do such Trespasses, after as We shall think convenient; and they that be indicted by such Inquests of any of the Trespasses aforesaid, shall be attached and afterwards distrained by the great Distress, to come into our Court at a certain Day, containing the Space of a Month; and if they come not at that Day they shall be distrained again by the same Distress, for to come at another Day, containing the Space of Six Weeks, and if they come not then, they shall be judged as attainted, and shall yield double Damages, at our Suit, to such as have received such Hurt or Damage, and nevertheless shall make grievous Fine, at our Pleasure, after the Manner and Quantity of such Trespass."

Proclamation shall be made for observing of the recited Statute.

We do command You, that in our City aforesaid, in the Places where you shall see fit, you do cause to be proclaimed and published, and likewise on our Behalf to be firmly enjoined, that no one under the Pains in the said Statute contained, and grievous Forfeiture to Us, do presume to contravene the said Statute in any Thing; or to inflict any such Grievances and Oppressions on Prelates, Men of Religion, Ecclesiastical Persons, Clerks, or Lay-men of whatever State or Condition they be: And that all who shall feel themselves aggrieved by such Oppressions and Grievances, and will recover their Damages against such Offenders, shall come to our Chancery for obtaining Remedy therein in their several Cases: And We have injoined our Chancellor that such Remedy he shall not in any Way delay to make to such Complainants. Witness the King at Canterbury on the Eleventh Day of June.

In the same manner it was commanded to the several Sheriffs throughout England.

Prelatoꝝ vel hoīm religiosoꝝ, ꝑsonaꝝ eccl̃iasticaꝝ, clicoꝝ aut laicoꝝ, colore empc̃ois, vel alio modo quocumq; infra villam m̃catoriam vel extra; nec equos, boves, plaustra, carectas, naves aut batellos alicujus ad cariagia aliqua inde facienda, cape, asportare, vel abduc̃e ꝑsumat cont[a] voluntat̃ illoꝝ quoꝝ fu̅int, vel custodum eoꝝdem; Et si quis de voluntate illoꝝ aliquod hujusmodi fec̃it, statim satisfaciat illis, sc̃dm qd inde conventū fuerit int̅ eos. Et eciam qd oīes qui cont[a] ꝑmissa vel aliquod eoꝝ ven̅int & inde convicti fu̅int p'sone adjudicent[r] & sc̃dm q[a]ntitat̃ & modum delci sui sc̃dm qd Cur̃ nr̃a faciend viderit puniant[r]; Et qd si illi quibꝫ in aliquo ꝑmissoꝝ t[a]nsgressū fu̅it, ꝟsus t[a]nsgressores illos sequi volu̅int, dampna que sustinu̅int eis in duplo adjudicabunt[r] & restituent[r], & t[a]nsgressores modo ꝑdc̃o nichilhomin̅ puniant[r]: Et q[a]mq[a]m aliquis sequi nolu̅it in hac ꝑte, Nos tamen sc̃tā nr̃am cont[a] hujusmodi t[a]nsgressores tanq[a]m de re fc̃a contra ꝓhibic̃oem & pacem nr̃am ñeamus. Nosq; de anno in annū ut expedire viderim̅ inquiri faciem̅ qui aliquam hujusmodi fec̃int t[a]nsgressionem; et qui ꝑ tales inquisic̃oes de aliqua transgressionū ꝑdc̃aꝝ indictati fu̅int attachiabunt[r] & postmodū distringent[r] ꝑ magnam districc̃oem ad veniend in Cur̃ nr̃a ad c̃tum diem, spaciū unius mensis continent̃, et si ad diem illum non ven̅int, ex̅tato ꝑ consimilem districc̃oem distringent[r] veniendi ad ꝓximū sex septimanas continenrem, & si tunc non ven̅int tanq[a]m convicti judicent[r], & reddant ad sectam nr̃am dampna in duplo illis qui hujusmodi dampna receperunt, & nichilhomin̅ g[a]vi᷑ redimant[r] ad voluntatem nr̃am sc̃dm modum & q[a]ntitat̃ t[a]nsgressionis illius. Vob̃ ꝑcipim̅, qd in Civitate nr̃a ꝑdc̃a locis quibꝫ expedire videritis ꝑclamari publicari & simili᷑ ex ꝑte nr̃a firmi᷑ inhiberi faciatis, ne quis sub penis in dc̃o statuto contentis, & g[a]vi forisfc̃ura nr̃a cont[a] dc̃m statutū in aliquo venire, seu aliqua hujusmodi g[a]vamina, & opꝑssiones, Prelatis, viris religiosis, ꝑsonis eccl̃iasticis, clicis aut laicis cujuscumq; status vel condic̃ois fu̅int inferre ꝑsumat: Et qd oīes qui de hujusmodi opꝑssionibꝫ & g[a]vaminibꝫ g[a]vatos se senserint, & dampna sua versus t[a]nsgressores illos recupare voluerint, ad Cancellar̃ nr̃am accedant ꝑ remedio inibi in suis casibꝫ impet[a]ndo. Injunxim̅ autem Cancellario nr̃o qd hujusmodi remedium conquerentibꝫ fac̃e nō differat quovismodo. T.ꝑ apud Cantuar̃ xj. die Junii.

Eodem modo mand est singulis Vicec̃ ꝑ Angl.

Anno 3° EDWARDI, II. A.D. 1309.

Statutum apud Staunford.*

THE STATUTE OF STAMFORD.

Ex magno Rot. Stat. in Turr. Lond. m. 33. in Cedula.

Recital of the Statute 28 Edw. I. [*Artic. super Cart.* c 2,3,6.]

THESE be the Articles which King Edward, Father of the King who now is, at his Parliament at Westminster in Lent, in the Twenty-eighth Year of his Reign, amongst other Things which he then ordained in Alleviation of the Grievances which his People had sustained by the wars, which had been, and in amendment of their Estate, and to the end that they might be more ready to his Service, and more willingly aiding when he had need thereof, did ordain and establish, in the Form which followeth;

CES sount les Articles q̃ le Roi Edward, piere le Roy q̃ ore est, a son plement, a Westmustr̃, en quaresme lan de son regne vint & oitisme, ent̅ les autres choses, qil adonq̃ ordena, en allegance des grevances, q̃ soen poeple avoit eu, par les guerres q̃ avoient este, & en amendement de lour estat, e p'tant qil fuissent plus prestez a son ꝟvice, & plus volentiers eidantz, qant il en averoit a fere, ordena & establi, en la forme q̃ sensuyt.

* This Title is from Cay's Printed Copy: No Title appears on the Roll: This Statute is not inserted in any Printed Copy previous to Hawkins's. See *Rot. Claus. 3 Edw. II. m. 23. in Cedula*, as to the passing of this Statute.

En p̄meschief, p̄ceo q̄ une g̃nt grevance est en ceo Roiaume, e damage sanz noumbre, de ceo q̄ le Roi e ses Ministres de sa [mesne,[1]] ausibien les aliens come les denzeins, font lour p̄ses, la ou il passent p̄my le Roiaume, & p̄nent les biens, des gentz, des clers, & de lays, sanz rien paer, ou bien meins q̄ la value: Ordene est, q̄ nul ne p̄nge p̄ses parmy le Roiaume, forsq̄ les p̄nours le Roi & ses p̄veurs p̄ lostel le Roi; & q̄ ceux p̄nours le Roy, & p̄veurs pur son Hostel, ne p̄ngnent rien forsq̄ pur meisme lostel. Et des p̄ses qil ferront parmy le pays, de manger, ou de beuire, & autr̄s menues necessaries pur lostel, qil facent la paye, ou gre, a ceux des queux les choses p̄ront p̄ses. E q̄ touz tieux p̄nours le Roi, p̄veurs ou achaturs, eient de ci enavant lour garant ovesqes eux, du g̃nt seal, ou de petit seal le Roi, contenant leur poer, & les choses dont il ferrount p̄ses ou p̄veaunce; le quel garant il mostront a ceux des queux il front la p̄se, avant ceo qil enp̄ignent rien. Et q̄ ceux p̄nours, p̄veurs, ou achaturs le Roi, ne p̄ignent plus q̄ bosoignes & mestier ne seit, pur le Roi, & son Hostel & de ses enfantz: & q̄ rien ne p̄ignent p̄ ceux q̄ sont a gages, ne pur nul autre. Et qil respoignent, en lostel, & en la garderobe, pleinement des totes lour p̄ses, sanz fere aillurs lour largesces, ou liverees de chose q̄ p̄ le Roi seit p̄se. Et si nul p̄nour del hostel le Roi, p garant qil eit, face p̄ses ou liverees, en autre manr̄e q̄ desus nest dit, par pleinte fete al Seneschal, & al Tresorer del Hostel le Roi, seit la v̄ite enquise. Et si de ceo soit atteint, seit gre meintenant fait al pleintif, & soit oste du s̄vice du Roi, p̄ touz jours, e demoerge en p̄son, a la volente le Roi. Et si nul face p̄ses sanz garant, & lemporte en countre la volente celui a qui les biens sont, seit meintenant arestu par la villee ou la p̄se s̄ra faite, e mene a la p̄cheine gaiole; Et si de ceo seit atteint, seit la fet de lui come de laron, si la q̃ntite des biens le demande. Et q̃nt as p̄ses fere, en feires, & en bones villes, & portz, p̄ la g̃nt garderobe le Roi, eient les p̄nours leur cōmune garant par le g̃nt seal. E des choses qil prendront, eient la temoignance du seal du Gardein de la Garderobe; et des choses issint par eux p̄ses, de noumbre, de q̃ntite, & de la value, seit faite dividende entre les p̄nours & les gardeins des feires, Meir, ou chiefs Baillifs, des villes & portz, par la veue des Marchaundz, des queux les biens s̄ront issint pris. E riens ne lui seit soffert de plus prendre qil ne mette en dividende; Et cele dividende soit porte en garderobe, desutz le seal le gardein, Meire, ou chief baillif avantditz, & leenz demoerge, tanq̄ sur la conte du garderober le Roi: Et sil soit trove q̄ nul eit autrement pris q̄ fere ne deveroit, soit puni sur la counte p̄ le gardein de la garderobe le Roi, solonc sa deserte; E si nul face tieux p̄ses sanz garant, & de ceo seit atteint, soit fet de lui come de ceux q̄ font p̄ses p̄ lostel le Roi sanz garant, come desus est dit. Et nentent mie le Roi, ne son conseil, q̄ par cest estatut, rien descresse au Roi, de son dreit des auncienes p̄ses dues & acustumes, come des vins & autres biens, mes q̄ en touz pointz pleinement lui soit sauve.

D' plitis corā Señ & Mareschaff tenend.

Del estat du Seneschal, & des Mareschaux, & des pledz q̄ eux deivent tenir & coment, ordene est qil ne tiegnent plai de frank tenement, ne de dette, ne de covenant, ne de contract des gentz du poeple fors tantsolement des trespas del hostel, & autres trespas fetz deinz la verge, e des contractz, & covenanz, q̄ aucun del hostel le Roi avera fet, a autre de meisme lostel,

[1] meignee, *Rot. Stat.* 28 *Edw. I.*

"In the first place, Forasmuch as there is a great Grievance in this Realm, and Damage without measure, for that the King and the Ministers of his House, as well Aliens as Denizens, do make their Takings where they pass through the Realm, and take the Goods as well of Clerks as of Lay People, without paying therefore any thing, or else much less than the value: It is Ordained, that from henceforth none do make any Takings within the Realm, but only the King's Takers, and the Purveyors for his House; and that the King's Takers and Purveyors of his House shall take nothing, but only for his House. And touching such Things as they shall take in the Country, of Meat and Drink, and such other mean Things necessary for the House, they shall pay or make agreement with them of whom the Things shall be taken. And that all such the King's Takers, Purveyors, or Buyers from henceforth shall have their Warrant with them, under the King's Great or Petty Seal, declaring their Authority, and the Things whereof they have power to make Prise or Purveyance; the which Warrant they shall shew unto them whose Goods they take, before they take any thing. And that those Takers, Purveyors, or Buyers for the King, shall take no more than is needful or meet to be used for the King, his Household, and that of his Children: and that they shall not take any thing for them that be at Wages, nor for any other. And that they shall make full Answer in the King's House, or in the Wardrobe, for all Things taken by them, without making their Largesses any other where, or Liveries of such Things as have been taken for the King. And if any Taker for the King's House, by reason of his Warrant, make any Prise or Livery, otherwise than before is mentioned, upon Complaint made to the Steward and to the Treasurer of the King's House, the Truth shall be enquired. And if he be attainted thereof, he shall forthwith satisfy the Party, and shall be put out of the King's Service for ever, and shall remain in Prison at the King's Pleasure. And if any make Prise without Warrant, and carry it away against the will of the Owner, he shall immediately be arrested by the Town where the Prise was made, and shall be committed to the next Gaol; and if he be attainted thereupon, it shall be done unto him as unto a Felon, if the quantity of the Goods do so require. And concerning Prises made in Fairs, and good Towns, and in Ports for the King's great Wardrobe, the Takers shall have their common Warrant under the Great Seal. And for the Things that they shall take, it shall be testified under the Seal of the Keeper of the Wardrobe; and of those Things so by them taken, the Number of the Things, the Quantity, and the Value, there shall be a Dividend made between the Takers and the Keepers of Fairs, Mayors, or Chief Bailiffs of Towns and Ports, by the view of Merchants, whose Goods shall be so taken; and they shall not be suffered to take any more than is contained in their Divident; and the said Divident shall be taken into the Wardrobe under the Seal of the Warden, Mayor, or Chief Bailiff aforesaid, and there shall remain until the Accompt of the Keeper of the King's Wardrobe: And if it be found, that any hath taken otherwise than he ought to do, upon his accompt he shall be punished by the Keeper of the King's Wardrobe after his desert; and if any make such Prises without Warrant, and be attainted thereupon, he shall incur the same Pain as they which take Prises for the King's Household without Warrant, as before is said. Nevertheless the King and his Council do not intend, by reason of this Estatute, to diminish the King's Right, for the ancient Prises due and accustomed, as of Wines and other Goods, but that his Right shall be saved unto him whole in all Points. Concerning the Authority of the Steward and Marshals, and of such Pleas as they may hold, and in what manner, It is ordained, that from henceforth they shall not hold Plea of Freehold, neither of Debt nor of Covenant, nor of any Contract made between common People, but only of Trespass done within the House, and of other Trespasses done within the Verge, and of Contracts and Covenants that one of the King's House shall have made with another of the same House, and in

Purveyors.

What they shall take.

Payment thereof.

Purveyors to shew their Warrant;

to take no more than is needful;

to answer for Things taken.

Punishment for undue Purveyance.

Taking without Warrant, Felony.

Purveyances made for the King's Wardrobe.

Saving as to antient Prises.

Of Pleas, to be holden before the Steward and the Marshal.

the same House, and none other where. And they shall plead no Plea of Trespass, other than that which shall be attached by them before the King depart from the Verge where the Trespass shall be committed; and shall plead them speedily from day to day, so that they may be pleaded and determined before that the King depart out of the Limits of the same Verge where the Trespass was done. And if it so be that they cannot be determined within the Limits of the same Verge, then shall the same Pleas cease before the Steward, and the Plaintiffs shall have recourse to the common Law. And from henceforth the Steward shall not take Cognisance of Debts nor of other things, but of People of the same House, nor shall hold none other Plea by Obligation made at the Distress of the Steward and of the Marshals. And if the Steward or Marshals do any thing contrary to this Ordinance, it shall be holden as void. There shall no Writ from henceforth, that toucheth the Common Law, go forth under the Petty Seal."

Confirmation of recited Provisions.

Of holding Pleas at the Gates of the Castles.

Certain Custom Duties shall cease.

Saving of ancient Customs.

Other Requests granted.

Remedy by Writ from Chancery.

The which Articles the King that now is, at the Request of his good People of his Realm, having regard to the causes aforesaid, doth will and command that henceforth they be fully holden and kept in all their points. And as to the Request of the said good People with respect to holding and maintaining Pleas at the Gates of the King's Castles, the King willeth that the Constables of his Castles shall not distrain People to plead before them any Plea of a Foreign County, nor within the County, otherwise than anciently hath been used to be done. And as to the Customs which the King taketh by his Officers, that is to say, of every Ton of Wine two shillings, of every Cloth which Alien Merchants bring into his land two shillings, and of every Pound Value of Avers de pois three-pence, the King willeth at the Request of the said good People, that the said Customs of Wines, Cloths, and Avers de pois, do cease at his will, in order to know and be advised what Profit and Advantage will accrue to him and his People by ceasing the taking of those Customs, and then the King will have Counsel according to the Advantage which he shall see therein; Saving always to the King the antient Prises and Customs antiently due and approved. And as to the other Requests * which the said good People have made to the King, the King hath granted the same fully, and hath charged his Chancellor and his other Officers, that they do cause the same to be firmly kept. And the King willeth, that if any one find himself aggrieved in any point contrary to the said Ordinance, and the said Articles so by him granted, and will complain thereof, that his Chancellor do give him Remedy by Writ according to his case, and according to that which shall seem most expedient to be done.

The King to the Sheriff of York Greeting. Whereas in our Parliament holden at Westminster in one Month after Easter, in the Second year of our Reign, Supplication was made unto Us, on the part of the Commonalty of the said Realm, that We would take care to provide a Remedy upon divers Grievances suffered by the said Commonalty; and afterwards in our Parliament at Stamford, after the Feast of St. James the Apostle, in the Third year of our Reign, diligent Discussion being had upon the said Supplications, and a certain Ordinance, lately made on some of such grievances by the Lord Edward formerly King of England our Father, being taken into consideration and recited before Us and our Council, We, favourably inclining to the Supplications aforesaid, have caused the said Ordinance, which We will shall henceforth be firmly observed, together with certain other Articles in the aforesaid Supplications contained, and by Us, in like manner at the Request of the said Commonalty, of our special grace, granted, to be transmitted to you under our Seal; Commanding, that the Ordinance and Articles aforesaid, in your full County Court, you do cause to be read and publicly proclaimed, and the Ordinance and Articles aforesaid throughout your Bailiwick to be firmly and inviolably observed. Witness the King at Langley the Twentieth day of August.

Like Letters are directed to every Sheriff throughout England.

* *See Rot. Claus. 3 Edw. II. m. 23. in Cedula.*

& en meisme lostel, & nemie aillours. Et nul plai de trespas ne pledront, autre q̃ ne soit attache par eux avant ceo q̃ le Roi isse hors de la verge, ou le trespas ꝑra fait, & les pledra hastiement de jour en jour, Issint qil soient parpledez & ꝑminez, avant ceo q̃ le Roi isse hors des boundes de cele verge, ou le trespas fust feit. Et si ꝑ cas dedeinz les bundes de cele verge ne poent estre ꝑminez, cessent ceux pledz devant le Seneschal, & soient les pleintifs a la cõmune ley. Ne (1) ꝑnge le Seneschal conoissaunces des dettes, ne dautre chose, forq̃ des gentz del Hostel avantdit; Ne nul autre plai ne teignent par obligacion faite a la destresce du Seneschal & Mareschaux. Et si le Seneschal, ou [Mareschal,[2]] rien facent contre cest ordenement, soit leur fait tenu pur nul. Desutz le petit seal ne isse (3) nul breef q̃ touche la cõmune ley. Les queux articles le Roi q̃ ore est, a la requeste de ses bones gentz de son Roiaume, eant regard a les acheisons desusdites, voet & cõmande q̃ desormes soient pleinement tenuz & gardez en toutz lour pointz. Et q̃nt a la requeste des dites bones gentz, endroit des pledz trere & tenir a les portes des Chasteux le Roi, veut le Roi, q̃ les Conestables de ses Chasteaux ne destreignent gentz a pleider devant eux nul plai de forein Conte, ne deinz Conte, autrement q̃ auncienement soleit estre fait. E q̃nt a les custumes q̃ le Roi prent par ses Ministres, cest asavoir de chescun tonel de vin ij. s. de chescun drap q̃ marchaundz aliens font venir en sa ꝑre ij. s. & de chescun livre de aver de poys iij. d. Voet le Roi, a la requeste de ses dites bones gentz, q̃ les dites custumes, de vins, draps, & aver de poys, cessent a sa volunte par saver & estr̃ avise quel ꝑfit & quel avantage acrestera a lui, & a son poeple par cesser de la p̃se de celes custumes, et puis avera le Roi conseil solonc lavantage qil y verra; sauveez totevoies au Roi les auncienes p̃ses & custumes auncienement dues & approvees. E q̃nt a les autres requestes, q̃ les dites bones gentz fesoient au Roi, le Roi les ad g̃nte bonement, & ad charge son Chauncellier, & ses autres ministres, q̃ eux les facent garder fermement. Et voet le Roi q̃ si nul se sente greve en nul point, contre le dit ordenement, & les ditz articles, issint par lui g̃nteez, & pleindre se voill, q̃ le Chauncellier luy face remedie par breef, solonc son cas, & solonc ceo qil verra q̃ mieutz soit a fere.

Ꝑ Vič Eborꝫ, saltm. Cum in pliamento nr̃o, apud Westm̃ in mense Pasche anno regni nr̃i ſcdo, ꝯito, nob̃ ex ꝑte cõitatis ejusdem regni supplicatũ fuisset, ut sup diu᷑sis g̃vaminib; que eadem cõitas paciebat̃ remediũ appone curarem᷒; nosq; postmodũ in pliamento nr̃o apud Staunford post festum sc̃i Jacobi Apli anno regni nr̃i ꝯcio, ꝯito sup supplicac̃oib; huj᷒modi diligenti tractatu, consideratac; quadã ordinac̃oe p dim̃ E. quondam Regem Angl, pr̃em nr̃m, nup sup aliquib; huj᷒modi g̃vaminib; fca, & coram nob̃ & consilio nr̃o recitata, supplicac̃oib; ꝑdc̃is favorabiliꝫ annuentes, ordinac̃oem illam, quam ex nunc volum᷒ firmiꝫ observari, una cũ quib;dam aliis articlis in supplicac̃oib; ꝑdc̃is contentis, & p nos similiꝫ ad ejusdem cõitatis requisic̃oem de gr̃a nr̃a sp̃ali concessis, tibi sub sigillo nr̃o duxim᷒ tr̃nsmittend, ꝓcipientes qd ordinac̃oem & articlos ꝑdc̃os, in pleno Com̃ tuo legi & publice ꝓclamari, ac ordinac̃oem & articlos ꝑdc̃os, p totam ballliam tuam, firmiꝫ & inviolabiliꝫ fac̃ observari. T. Ꝑ. apud Langele xx. die Augusti.

Consimiles ꝛre dirigunt̃ singulis Vicecomitib; p Angl.

[1] desoremes ne
[2] les Mareschaus
[3] desoremes

} *Rot. Stat. 28 Edw. I.*

Anno 5° EDWARDI, II. A.D. 1311.

Les noveles Ordenances, faites a Lundres, lan du regne nostre Seigneur Rei Edward, fitz le Rei Edward, Quynt.*

THE NEW ORDINANCES, MADE AT LONDON, IN THE FIFTH YEAR OF THE REIGN OF OUR SOVEREIGN LORD KING EDWARD, SON OF KING EDWARD.

Ex Cartis Cotton' 43 *D.* 18.

EDWARD par la grace de dieu Roi Dengleŧre, Seignr Dirland e Duk Daquitayne a touz ceaux as queux cestes lettres vendront, saluz. Sachez qe come le xvj. jour de Marcz lan de nŧre Regne tierz al honr de dieu e pr le bien de nre e de nŧre Realme [- - - - [1]] de nŧre fnche volunte p nos lettres overtes as Prelatz, Countes, & Barons de nostre dite Realme qil puissent eslire certeines psones des ꝑlatz, Contes, & Barons les quels il leur sembleroit suffisaunz dapeller a eux; & eussoms auxint grnte p mesmes les lettres a ceaux qi deussent estre esluz queux qil feussent, p les ditz Prelatz, Countes, & Barons, plein poer de ordeiner lestat de nostre hostel, & de nostre Realme dessusditz, en tieu maner qe leur Ordinaunces feussent faites al honr de dieu & al honr & ꝑfit de seint eglise & al honr de nous e a nŧre ꝑfit & a ꝑfit de nŧre poeple solom dreit e reson & le ꝥment qe nous faismes a nŧre coronement, sicom plus pleinement est contenu en nos dites lettres: et le honrable piere en dieu Robert p la gce de dieu, Erceveqe de Cantrebiꝝ pmat de tute Engleŧre, Evesqes, Countes, & Barons, a ceo esluz p la vertu de nos dites lettres eient ordeine sur les dites choses en la forme qe sensuit.

Pur ceo qe p malveis conseil & deceivaunt nŧre Seignr le Roi & touz les soens sunt en totes ŧres deshonures, & estre ceo la corone en multz de poinz abessee & desmembre, & ses ŧres de Gascoigne, Dirland & descoce en point destre ꝑdues, si dieus ne mette amendement, & son Realme Dengleŧre en point de reveler pr oppressions, pises, & destruccions;

[1] eussoms gnte *Rot. Ord.*

EDWARD by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitain, To All to whom these Letters shall come, Greeting. Know Ye, That Whereas on the sixteenth day of March, in the third year of our reign, to the honour of God, and for the weal of Us and of our Realm, We did grant of our free will, by our Letters Patent, to the Prelates, Earls, and Barons of our said Realm, that they might choose certain Persons of the Prelates, Earls, and Barons, whom they should see fit to call unto them; and We did also grant, by the same Letters, to those who should be chosen, whosoever they should be, by the said Prelates, Earls, and Barons, full power to order the State of our Household, and of our Realm before mentioned, in such manner that their Ordinances should be made to the honour of God and the honour and profit of Holy Church, and to our honour, and to our profit, and to the profit of our People, according to right, and reason, and the Oath which We made at our Coronation (1), according as is more fully contained in our said Letters: And the Honourable Father in God Robert, by the grace of God Archbishop of Canterbury, Primate of all England, the Bishops, Earls, and Barons thereunto chosen (2), by virtue of our said Letters, have ordained upon the said Matters in the Form which followeth:

Forasmuch as by bad and deceitful counsel our Lord the King and all his Subjects are dishonoured in all Lands; and moreover the Crown hath been in many points abased and dismembered, and his Lands of Gascony, Ireland, and Scotland on the point of being lost, if God do not give amendment; and his Realm of England upon the point of rising, on account of Oppressions, Prises, and Destructions;

[1] For the Form of this Oath, See the Notes at the End of this Ordinance.

[2] For the Names of the Ordainers, See *R.t. Claus.* 3 *Ed. II. m.* 8 *d*; *Rot. Cant. MS. Cott.* 1:—*Rot. Cant.* also contains the Form of the Election of the Ordainers and the Oath taken by them.

* The Text of these Ordinances is given from an Exemplification of them under the Great Seal of K. Edward II., preserved in the British Museum among the Cotton Charters.

In the Tower of London is preserved, among the Parliament Rolls, a Roll containing these Ordinances, beginning 'A touz ceux' The Roll is of the Time of Edward II., and is indorsed, in a Hand-writing nearly contemporary, with the Word 'Ordinacões.' Several Indorsements in a more modern Hand-writing, have also been made on the Roll. The following is in the Hand-writing of Mr. Geo. Holmes, for sixty Years Deputy Keeper of the Records in the Tower, who died in 1748, 'Rot. Parl. de anno vo Edwardi Secundi, sive Rot. Ordinationum factꝝ per Comiss. Regis tangeñ Statum tocius Regni.' In this Roll the Paragraphs or Chapters are numbered, and Abstracts of the Contents are inserted, in the Margin. These are printed in Addition to the Text of the Exemplification. Some Words illegible in the Exemplification have been supplied from this Roll, but which is itself partly defaced; these and other Readings from the same Roll are marked *Rot. Ord.* in the Notes.

In the Treasury of Canterbury Cathedral is a Roll marked K. 11, containing these Ordinances. It begins thus "Ceux sunt les Noveles Ordenances faites a Lundres lan du regne nostre Seignur Rei Edward, fitz le Rei Edward Quynt: Et par mesme le Rei confermees & desouz seon graunt seal enseallees: Et desouz meme le Seal les dites Ordenances & le confermement sunt en la Tresorie de ceste Eglise en Garde." The Instrument under the Great Seal, referred to by the Roll, is not to be found in the Treasury of the Cathedral; although the numerous and valuable Deeds and Charters there were very carefully arranged and indexed in the Year 1806. The Notes from this Roll are marked *Rot. Cant.*

A Copy of these Ordinances is entered, in a Hand-writing of the Time of Edward II, in *MS. Cott. Claudius D. II. fo.* 269, &c; and another Copy in *fo.* 197, &c. of the same Volume, in a Hand-writing of a subsequent Period. In both Copies the Instrument is divided into Chapters, but not strictly in Accordance with the Numbers on the Roll in the Tower above noticed. The Readings from the more antient Copy are marked *MS. Cott.* 1: those from the other Copy *MS. Cott.* 2. Copies of the Ordinances are in many other Manuscript Collections, but not in any Printed Copies of the Statutes.

the which things being known and shewn, our Lord the King, of his free will hath granted to the Prelates, Earls, and Barons, and to the other good People of his Realm, that certain Persons should be chosen to order and establish the state of his Household and of his Realm, as more fully appears by the Commission of our Lord the King thereof made: Wherefore We, Robert, by the grace of God Archbishop of Canterbury, Primate of all England, the Bishops, Earls, and Barons chosen by virtue of the said Commission, do ordain, to the honour of God and of Holy Church, and to the honour of the King and of his Realm, in the manner which followeth:

I. Franchises of Holy Church.

First, We do ordain that the Ordinances before made by Us, and shewn to the King [1], be holden and kept, the which are next under written:

"FIRST, It is Ordained, That Holy Church have all her Franchises, in such sort as she ought to have.

II. Keeping the King's Peace.

"MOREOVER, It is Ordained, That the Peace of the King be firmly kept throughout the Realm, so that every one may safely go, come, and tarry, according to the Law and Usage of the Realm.

III. Of Gifts made by the King without Assent of the Ordainers.

"MOREOVER, It is Ordained, For to acquit the Debts of the King and retrieve his State, and the more honourably to maintain him, that no Gift of Land, nor of Rent, nor of Franchise, nor of Escheat, nor of Wardship, nor Marriage, nor Bailiwick, be made to any of the said Ordainours during their Power under the said Ordinance, nor to any other, without the Consent and Assent of the said Ordainours, or of the greater part of them, or Six of them at the least; but all the things whereof Profit can arise shall be used to the Profit of the King, until his State be becomingly retrieved, and somewhat else be thereupon ordained to the honour and profit of the King.

IV. Of paying the Customs into the Exchequer.

"MOREOVER, It is Ordained, That the Customs of the Realm be kept and received by People of the Realm, and not by Aliens; and that the Issues and Profits of the same Customs, together with all other Issues and Profits of the Realm arising from any matters whatsoever, shall come entirely to the King's Exchequer, and by the Treasurer and the Chamberlains shall be delivered, to maintain the Household of the King, and otherwise to his Profit, so that the King may live of his own, without taking Prises other than those anciently due and accustomed; and all others shall cease.

V. Of arresting Merchants Aliens.

"MOREOVER, It is Ordained, That all Merchants Aliens, who have received the Profits of the Customs of the Realm, or of other things appurtenant to the King, since the Death of King Edward the Father of our Lord the King that now is, shall be arrested with all their Goods, wheresoever they shall be found within the power of the King of England, until they have rendered reasonable Account, of how much they have received of the Issues of the Realm within the time aforesaid, before the Treasurer and before the Barons of the Exchequer, and others joined to them by the said Ordainours.

VI. Of keeping the Great Charter.

"MOREOVER, It is Ordained, That the Great Charter be kept in all its points in such manner, that if there be in the said Charter any point obscure or doubtful, it shall be declared by the said Ordainours, and others whom they will, for that purpose, call to them, when they shall see occasion and season during their power."

VII. Of repealing Gifts of the King.

AND Moreover, Forasmuch as the Crown is so much abased and dismembered by divers Gifts, We do ordain, That all the Gifts which have been given to the damage of the King and the Diminution of the Crown since the Commission made to us, of Castles, Towns, Lands and Tenements, and Bailiwicks, Wardships and Marriages, Escheats and Releases, whatsoever they be, as well in Gascony, Ireland, Wales, and Scotland, as in England, be repealed, and We do repeal the same altogether, without being given again to the same persons without common assent in Parliament. And that if such manner of Gifts or Releases be from henceforth given against the form aforesaid, without the assent of his Baronage, and that in Parliament, until that his Debts be

[1] These former Ordinances, Chapter 1, to 6, of the present Ordinances, and the Writ for their Observance, are entered on *Rot. Pat.* 4 *Ed. II. P.* 1. *m.* 18.

les queux choses sues & mustrees, nr̃e seignr le Roi de sa frãnche voluntee grãnta as Prelatz, Countes, & Barons, & as autres bones gentz de son Realme, qe ẽteines gentz feussent esluz de ordenner & establir lestat de son hostel & de son Realme, sicom plus pleinement piert p la cõmission nr̃e seignr le Roi de ceo faite: Dount nr̃e Robert p la grace de dieu, Erceveqe de Cantrebiñ pmat de tute Engletre, Eveqes, Contes, & Barons, esluz p la vertu de la dite cõmission, ordenoms aꝭ honr de dieu, & de seinte eglise, & lonour du Roi & de son Realme en la maner qe sensuit.

Enpmes nr̃e ordenoms qe les ordenances avant faites p nous & moestrees au Roi, soient tenues & gardies, les quels sunt pceinement sutzescritez. Enpmes ordeine est qe seinte eglise eit tutes ses fraunchises, si avaunt cum ele deit avoir.

D' fraunchis de Seinte Eglise. 1.

Derechef ordeine est qe la pees le Roi soit fermement gardie p tute le Realme issint qe chesqun puisse sauvement aler, venir, & demorrer solom la lei & lusage du Realme. [1]

De la pees le Roi garder. 2.

Derechef [orde - - t [2]] pr les dettes le Roi acquiter & son estat relever, & le plus honrablement meyntenir, qe nul doun de terre ne de rente ne de franchise, ne deschete, ne de garde, ne marriage, ne baillie, se face a nul des ditz ordeinours durant lour poer, del dit ordeinement, ne a [- - - - re [3]] saunz conseil & assent des ditz ordeinours ou de la greignre ptie de eus ou sis de eaux au meins, mes totes les choses des queux pfit puit sourdre, seient enproues au pfit le Roi jusq̃ son estat soit avenanment releve, & autre chose soit sr ceo ordeine, al honour & pfit du Roi.

D' douns faitz p le Roi sanz assent des Ordenours. 3.

Derechef ordeine est qe les custumes du Realme soient gardeez & resceues p gentz du Realme mesme & non pas p aliens, & qe les issues & les pfitz de mesmes les custumes ensemblement ove tutes autres issues & pfitz issanz du Realme des queles choses qe ces soient entierment viegnent al Escheqr le Roi, & p le Tresorer, & les chaumbleyns soient livez pr lostel le Roi maintenir & aillours a son pfit issint qe le Roi peusse vivre de soen saunz pises faire autres qe auncienes dues & acustumes, [- - - -[4]] autres cessent.

Des custumes liver a lescheqier. 4.

Derechef ordeine est qe touz les Marchantz aliens qi ount resceu les pfits des custumes du Realme, ou des autres choses apurtenantes au Roi puis la mort le Roi Edward piere nr̃e Seignr le Roi qore est, soient arestuz ove touz lour biens ou qil soient trovez denz le poer le Roi Dengletre jesq̃ il eyent rendu resonable acounte de qnt qil eient resceus des issues du Realme denz le temps avantdit, devant le Tresorer, e les Barons delescheqr & autres jointz a eux p les ditz ordeinours.

D' Marchantz Aliens arestoir. 5.

Derechef ordeine est qe la grnt chartre soit gardee en touz ses pointz en tieu mañe qe sil ieit en la dite chartre nul point obscure ou dutif soit desclare, p les ditz ordeinours, & autres qil vorront a eux a ceo appeller, qnt il verront houre e temps durant lour poer.

D' la graunde chartre tenir. 6.

Et puis derechef pr ceo qe la coroñ est tant abessee & desmembree p divs douns, nr̃e ordenoms qe touz les douns qe sunt donez au damage du Roi & descrees de la Coroñ puis la cõmission a nous faite des chasteux viles tres & teñz, et baillies gardes & mariages eschetes & relees, quicoñq̃ qil soient, auxint bien en Gascoigne, Irland, Gales, & Escoce cum en Engletre soient repellez, & nr̃e les repelloms de tut saunz estre redonez as mesmes ceaux saunz comun assent en parlement. E qe si tieu maner des douns ou relees soient desormes dones encontre la forme avauntdite saunz assent de son barnage, & ceo en plemẽt taunt qe ses dettes soient

D' douns le Roi repeller. 7.

[1] In *Rot. Pat.* 4 *Ed. II. P.* 1. *m.* 18, is an Addition to this Article, for the Security of the Ordainers during the time of their making the Ordinances.

[2] Ordeine est *Rot. Ord: Rot. Pat.*

[3] nul autre *Rot. Ord: Rot. Pat.*

[4] e totes *Rot. Pat: Rot. Ord.*

acquittez & son estat avenanment relevez soient tenuz, p^r nulle, et soit le pnour puniz en plement par agard del barnage.

De totes manies issues du roialm liver a lescheqier. 8.

Purceo qe autrefoiz fust ordeine qe les custumes du Realme fussent resceues & gardees p gentz du Realme, & non pas p aliens & qe les issues e les pfitz de mesmes les custumes ensemblement ove tutes les autres issues & pfitz issanz du Realme quels qe eux feussent entierment venissent al Escheqr le Roi, & p le Tresorer & les Chaumberleyns feussent resceues & liverez p^r lostel le Roi meintenir, & aillours a son pfit issint qe le Roi peusse vivre du soen saunz p^ises faire autre qe auncienes dues & dreit^reles, les queux choses (1) sunt mie tenuz; Dont nous ordenoms qe les dites custumes ensemblement ove tutes les issues du Realme com avant est dit, soient resceues & gardees p gentz du Realme, & liverez al Escheqer en la forme susdite.

Qe le Roi ne aile hors du roiaume. 9.

Purceo qe le Roi ne doit enprendre fait de Guerre encontre nuli, ne aler hors de son Realme saunz comun assent de son Barnage pur multz des pilez qe purront avenir a luy, & a son Realme, nous ordenoms qe le Roi desormes ne aille hors de son Realme ne enpregne encontre nuli fait de Guerre, saunz comun assent de son Barnage, & ceo en plement, et si autrement le face, & si sur tiele enprise face somondre son svice, soit la somounce pur nule. Et sil aveigne qe le Roi enpreigne fait de Guerre contre nuli ou aille hors de tre p lassent de son barnage, & bosoigne qil mette gardeyn en son Realme, donqe le mette p comun assent de son barnage & ceo en plement.

Qe totes p^ises cessent. 10.

Et p^r ceo qil fait a doter qe la poeple de la tre se leve p^r P^ises & divers Oppressions faites eintz ces houres, nomement, p^r ceo qe autrefoiz estoit ordene qe nre Seign^r le Roi vesquisist de soen saunz p^ises faire autres qe les aunciens dues & custumes, & totes autres se cessasent, e non pas p^r ceo p^ises sunt faites de jour en jour contre cel ordeinement com avant, Nous ordenoms qe totes p^ises cessent desormes sauve les p^ises aunciens dreit^reles & dues au Roi, & as autres, as queux eles sont dues de droit. Et si nuls p^ises se facent contre Lordeinement susdit p qi qe ceo soit, ou de qel condicion qil soit, ceste a savoir si nul p colour de purviaunce faire al oeps nre Seign^r le Roi ou a autri preigne bleez, mercz, marchandises, ou autre maner des biens, contre la volunte de ceaux a qi il sont, et ne rendre meintenaunt les deners a la verroie value sil ne puisse de ceo avoir respit de la bone voluntee le vendour, solom ceo qe est compris en la gr^ant chartre des p^ises faites p conestables de chasteux, e lour baillifs, & estre la forsprise des p^ises dues susdites, nient contresteant cōmission qil eit, soit levee sur luy la menee p hu & cri, & mene a la pscheine gaole le Roi, et de luy soit fait comun lei com de Robeour ou de laron, si de ceo soit atteint.

D' noveles custumes & maletoutes ouster. 11.

Ensement novels custumees sont leveez & aunciens enhancees com sur leynes, draps, vins, avoir de pois & autres choses p quei les Marchantz viegnent le plus relement, & meyns de bien miegnent en la terre, & les Marchantz est^anges demoerent plus longes qil ne soleient faire, p la quel demoere les choses sont le plus encheries qel ne soleient estre au damage du Roi e de son poeple; Nous ordenoms, qe tutes maneres des custumees & maltoutes leveez puis le coronnement le Roi Edward fiz le Roi Henri soient entierment oustees & de tut esteinz p^r touz jours, nient contresteant la chartre qe le dit Roi Edward fit as Marchantz aliens, p^r ceo qe ele fut fait contre la grant chartre, & encontre la fr^anchise de la Citee de Loundres & sanz assent del Barnage; et si nuli de quele condicion qil soit riens preigne ou leve outre les auncienes custumees dues e dreit^reles, ou destourbance face p quei les marchantz ne puissent de lur biens faire lour volunte, & de

(1) ne *Rot. Ord.*

acquitted, and his State becomingly relieved, they shall be holden for none, and the Taker shall be punished in Parliament by the Award of the Baronage.

VIII. Of paying all Manner of Issues of the Realm into the Exchequer.

FORASMUCH as it was heretofore ordained, That the Customs of the Realm should be received and kept by People of the Realm, and not by Aliens; and that the Issues and the Profits of the same Customs, together with all other Issues and Profits of the Realm arising, whatsoever they be, should come entirely to the King's Exchequer, and by the Treasurer and Chamberlain be received and delivered for the Maintenance of the King's Household, and otherwise to his profit, so that the King might live of his own, without making Prises other than those anciently due and rightful; the which matters are not observed; Wherefore We do ordain, that the said Customs, together with all the Issues of the Realm as afore is said, be received and kept by People of the Realm, and delivered into the Exchequer in the form aforementioned.

IX. That the King go not out of the Realm.

FORASMUCH as the King ought not to undertake Deed of War against any one, nor to go out of his Realm, but by common assent of his Baronage, for the many Perils that may happen to him and his Realm, We do ordain, That the King henceforth shall not go out of his Realm, nor undertake against any one Deed of War, without the common assent of his Baronage, and that in Parliament. And if he otherwise do, and upon such Enterprize cause to be summoned his Service, such Summons shall be for none; and if it happen that the King undertake Deed of War against any one, or go out of the Realm, with the assent of his said Baronage, and it be necessary that he appoint a Guardian in his Realm, then he shall appoint him with the common assent of his Baronage, and that in Parliament.

X. That all Prises shall cease.

AND Forasmuch as it is to be feared that the People of the Land will rise, for the Prises and divers Oppressions made in these times, especially because that it was heretofore ordained, That our Lord the King should live of his own, without making Prises other than those anciently due and accustomed, and all others should cease, and nevertheless Prises are made from day to day against that Ordinance, as before; We do ordain that all Prises shall cease from henceforth, saving the Prises, antient, rightful, and due to the King, and to others to whom they are due of right. And if any Prises be made contrary to the Ordinance aforesaid, by whomsoever it be, or of whatsoever condition he be; that is to say, if any, by colour of making Purveyance to the use of our Lord the King, or of another, shall take Corn, Wares, Merchandizes, or other manner of Goods, against the will of those to whom they belong, and do not render incontinently the Money to the very Value, if he cannot thereof have respite of the good will of the seller, according to that which is comprised in the great Charter, of Prises made by Constables of Castles and their Bailiffs, and moreover the Prises aforesaid which are due being excepted, notwithstanding any Commission which may be, the pursuit of the Hue and Cry shall be raised upon him, and he shall be carried to the next Gaol of the King, and the Common Law shall be done of him as of a Robber or Thief, if he be thereof attainted.

XI. Of abolishing New Customs and evil Tolls.

ALSO, new Customs have been levied, and the old enhanced, as upon Wools, Cloths, Wines, Avoir de pois, and other Things, whereby the Merchants come more seldom, and bring fewer Goods into the Land, and the Foreign Merchants abide longer than they were wont to do, by which abiding things become more dear than they were wont to be, to the damage of the King and his People; We do ordain, that all manner of Customs and Imposts levied since the Coronation of King Edward, Son of King Henry, be entirely put out, and altogether extinguished for ever, notwithstanding the Charter which the said King Edward made to the Merchants Aliens, because the same was made contrary to the Great Charter and the Franchise of the City of London, and without the assent of the Baronage; And if any, of whatsoever condition he be, do take or levy any thing beyond the ancient Customs due and rightful, or make disturbance, whereby the Merchants cannot of their Goods do their will, and thereof be attainted, there

shall be awarded to the Plaintiffs their Damages, having regard to the Purchase, to the Suit, to the Costs and Losses which they shall have had, and to the violation of the Great Charter; and the Trespasser shall be imprisoned according to the quantity of the Trespass, and according to the discretion of the Justices, and he shall never be in the King's Service; saving nevertheless to the King the Customs of Wools, Wool-Fells and Leather; that is to say, for each Sack of Wool, half a Mark, and for three hundred Wool-Fells, half a Mark, and for a Last of Leather, one Mark, if the Goods be liable thereto: And henceforth Merchants Strangers shall come, abide, and go according to the ancient Customs, and according to that which of old they were wont to do.

XII. *Of Damages in Attachment on Prohibition.*

TO the Honour of God and of Holy Church, and against those who by malice do purchase Prohibitions and Attachments against the Ordinaries of Holy Church in causes of corrections of Sin, and others purely spiritual, which in no wise belong to the Lay Court; We do ordain, that by the Justices, who convict for such malicious doings, and who amerce the malicious Plaintiffs, Damages shall be awarded to the Ordinaries injuriously vexed, or if the said Plaintiffs have nothing whereof to pay, Imprisonment shall be awarded for the time according to the Grievance maliciously procured, saving the Estate of the King, and of his Crown, and the Right of others.

XIII. *Of removing evil Counsellors from the King.*

AND Forasmuch as the King hath been evil guided and counselled by bad Counsellors, as is aforesaid, We do ordain, that all evil Counsellors be put away and removed altogether, so that neither they nor other such be near him, nor retained in any Office of the King, and other more fit People be put in their Places; And in the same manner shall it be done of their Servants and People of Office, and of others who are in the King's Household, who are not fit.

XIV. *Of appointing the King's Officers and Ministers.*

AND Forasmuch as many Evils have come to pass by such Counsellors and such Ministers, We do ordain that the King do make the Chancellor, Chief Justice of the one Bench and the other, the Treasurer, the Chancellor and Chief Baron of the Exchequer, the Steward of his Houshold, the Keeper of his Wardrobe, and Comptroller, and a fit Clerk to keep the Privy Seal, a Chief Keeper of the Forests on this Side of Trent, and another on the other Side of Trent, and also an Escheator on this Side of Trent, and another on the other Side of Trent, and the Chief Clerk of the King in the Common Bench, by the Counsel and Assent of his Baronage, and that in Parliament; And if it happen by any chance, that it be expedient to appoint any of the said Ministers before there be a Parliament, then the King shall appoint thereto by the good Counsel which he shall have near him, until the Parliament. And so it shall henceforth be done of such Ministers, when need shall be.

XV. *Wardens of Ports, &c.*

LIKEWISE We do ordain, that all the Chief Wardens of the Ports and the Castles upon the Sea, shall be appointed and made in the Form aforesaid, and that such Wardens be themselves People of the Land.

XVI. *Of appointing Ministers in Gascony, Ireland, and Scotland.*

AND Forasmuch as the Lands of Gascony, Ireland, and Scotland be in peril of being lost for want of good Ministers, We do ordain, that good and sufficient Ministers be appointed to keep watch in the said Lands, in the form contained in the Second Article next above.

XVII. *Of appointing Sheriffs in Counties.*

MOREOVER We do ordain, that the Sheriffs be from henceforth appointed by the Chancellor, the Treasurer, and the others of the Council who shall be present; and if the Chancellor be not present, they shall be appointed by the Treasurer and Barons of the Exchequer, and by the Justices of the Bench, and that such be appointed and made who are fit and sufficient and who have Lands and Tenements whereof they can answer to the King and to the People for their Deeds, and that no other than such be appointed, and that they have their Commission under the Great Seal.

XVIII. *Of Keepers of Forests.*

FORASMUCH as common Fame is, and besides much Proof hath been made, that divers Oppressions, as Disheritances, false Indictments and Imprisonments, and thereupon grievous Ransoms, and many other manner of Grievances, which the Wardens, Bailiffs, Ministers of the Forest, and others, have done by colour of their Bailiwicks and of their

ceo soient atteinz, soient agardez as pleintifs lur damages, eaunz regard au p[r]chaz a la suite, as custages & pces qe il a[v]ont eu, & al offense de la g[a]nt chartre, et eit le trespassour la p[i]son solom la q[a]ntite du trespas, & solom descrecion des Justices, et mes ne soit en [s]vice le Roi; sauve nequident au Roi les custumes de Leyne, peaus, & de quirs, ceste a savoir de chequn sak de leyne demy mark, et de CCC. peaus lanutz demy mark, & de last de quir un mark, si avoir le doit: & desormes viegnent, demoergent & aillent les est[r]anges marchantz, solom les auncienes custu[m]es, et solom ceo qe auncienment soleient faire.

Al hon[r] de dieu & de Seinte Eglise, & encontre ceaux qi p malise p[r]chasent p̄hibicions & attachementz encontre ordeynairs de seinte Eglise en causes de correccions de peche & dautres purement espiritales, qe en nule manere p̄tiegnent a la lei Court, No[9] ordenoms qe p les Justices qi atteignent tieux malices, & qi amercient les malisiouses pleyntifs soient agardez damages as ordeinaires a tort t[r]vaillez, ou si les ditz pleintifs neient dount paier, soit agarde p̄son de temps solom la grevence malisiousement p̄curee, sauve lestat le Roi & de sa corone, & autri droit.

D' damages a[v] en lattach sur la p̄hibicion. 12.

Et p[r] ceo qe le Roi ad este mal guye & conseile p̄ malveis conseilers com est susdit; No[9] ordenoms qe touz les malveis conseilers soient oste̅s & remuez de tut, issint qe eux ne autres tieux nen soient mes pres deluy, ne en office le Roi retenuz, et qe autres gentz covenables soient mys en lour leux, & en mesme le maner soit fait des Mesnengs & de gentz de office [& Dautres [1]] qi sunt en lostel le Roi, qi ne sont pas covenables.

D' mal conseilliers le Roi ouster. 13.

Et p[r] ceo qe multz des mals sont avenuz p̄ tieux conseilers & tieux ministres; N[9] ordenoms qe le Roi face Chaunceler, Chief Justices del un bank a del autre, Tresorer, Chanceler, & Chef Baron de Escheqer, Seneschal de son Hostel, Gardein de la Garderobe, & Contreroulour & son clerk covenable p[r] garder son p[r]ve seal, un chief gardein de ses forestes de cea Trente, & un autre de la Trente & auxi un Eschetour de cea Trente, & un autre de la, Chef clerk le Roi en le comun Baunk, p̄ le conseil & lassent de son Baronage, et ceo en p̄lement; & sil aveigne p̄ asqun aventure qil coveigne mettre asqun des ditz ministres avaunt ceo qe p̄lement soit, donqe le Roi [il mette [2]] p̄ le bon conseil qil avera pres de luy jes̄q̄s au p̄lement; & issint soit fait desormes des tieux ministres q[a]nt mestre serra.

De Officiers & Ministres le Roi faire. 14.

Ensement nous ordenoms qe (3) les chef gardeins des portz, e des chasteux sur la meer soient mis e faitz en la forme susdit, et qe ceaux gardeins soient de la p̄re mesmes.

15. Del Gardein de cink portz.

Et p[r]ceo qe les p̄res de Gascoigne, Dirland, & descoce sunt en peril destre p̄dues p̄ defaute des bons ministres; No[9] ordenoms qe bons e suffisanz ministres soient mis a la gard faire en les dites p̄res en la forme contenu en le secunde article p̄chein p̄ amont.

D' Ministres faire en p̄res foreines. 16.

Estre ceo no[9] ordenoms qe viscontes soient desormes mis p̄ le Chaunceler, Tresorer, & les autres du conseil qe p̄ront p̄sents, & si Chanceler ne soit p̄sent, soient mis p̄ le Tresorer e Barons del Escheqer, & p̄ les justices du Bank, & qe tieus soient mis & faitz qi soient covenables & suffisantz, et qi eient p̄res & tenementz dont il puissent responder au Roi, [ou [4]] al poeple, de lour faitz, e qe nuls autres qe tieux ne soient mis, et qe eus eient comission desouth le g[a]nt seal.

D'Viscontes faire en Countez. 17.

Purceo qe cōmune fame est & ovesq̄ ceo meinte demostrance ad este faite qe d̄vers op̄ssions, cum desh̄itanses faux enditementz e enp̄sonemenz, & sur ceo greves ranscons, & Dautres multz des maners de grevanses, qe gardeins, Baillifs, & ministres des forestes & autres ont fait p̄ colur de lur baillies

D' Gardeins de Forestes. 18.

[1] *Rot. Ord.* omits.

[2] yinette *Rot. Ord.*

[3] touz *Rot. Ord.*

[4] & *Rot. Ord.*

& de lur offices, desquels grevanses le poeple qi tant est greve, ne se ose overtment pleindre ne lur pleintes suire, en la Court le Roi, tant come il sont en lur baillies & offices; Nous ordenoms qe des touz gardeins baillies & ministres des forestes qe avant le tenps le Roi qore est soleient estre remuables a la volunte le Roi, auxi bien de ceaux as queux lur baillies & offices sont ja volentriment grⁿte a terme de vie, non contreesteant tieu grⁿt, cum des autres, lour baillies ou offices soient seisiez en la main le Roi; et qe bones gentz e leaus soient assigneez Justices denquer sur les grevances avandites, & de oier & de ℈miner tutes les grevances & les pleintes de touz iceaux qi devers les ditz gardeins, Baillifs, & ministres de forestes [ou autres[1]] suire vodront pr le Roi, ou pr eux mesmes, solom la lei & la custume du Realme, & si avant com lei le soeffree, soient les pleintes ℈mineez entre cy & la Pasq proschein avenir, ou avant si hom poet en bon manere solom lei. Et si les ditz gardeins bailiffs & ministres soient trovez cupables des grevances avant dites, adonqe soient remuez pr touz Jours, et si non reeient leur baillies & offices.

Des enditementz de la Foreste. 19.

Et pr ceo qe plusours gentz sunt desheritez reintz & destrutz p les soveins gardeins de les forestes de cea Trent & de la, & p les autres ministres contre la forme de la chartre de la foreste, & encontre la declaracion qe le Roi Edward fiz le Roi Henri fist en la forme qe sensuit, cest asavoir; Nous voloms & grantoms pr nous & pr nos heires qe de trespas faitz en nos forestes de vert & de veneison qe les foresters en qi baillies tieux trespas ℈ront faitz, presentent mesmes les tre-pas as pcheins Swanimotz devant foresters verdeers, regardours, agistours, & autres ministres de mesmes les forestes, et sur tieus ℈sentmentz devant les foresters, verders, regardours, agistours, & autres ministres avantditz p ℈ment, auxi bien des chevalers come dautres pdeshoms & leaux, e nemie suspecionous des pties vaisineaux & plus pcheines ou tieux trespas ℈ront issint ℈sentez purra la verite mieux & plus pleinment estre enquise, e tiel verite issint enquise soient tieux ℈sentmentz p comune acord & assent de touz les ministres avantditz, solempment afforces, & de lour sealx enseales: Et si en autre maner soit nul enditement fet desormes soit a nul tenuz: Et pur ceo qe les chiefs gardeins des forestes ne unt mie la dite forme tenue jesqe en cea; Nous ordenoms qe desormes nul ne soit pris ne enp'sone pur vert ne pr veneson, si il ne soit trove ove mainoure ou en la fourme avandite [ou en la forme avandite,[2]] & adonq lui lesse le soverein gardein de la foreste a mainpris jesq al heire de la forest, saunz rien prendre pr la deliveranse & si le dit gardein faire ne le voille, eit bref en Chancelerie qe auncienment fust ordeine pr tieux enditees destre a maynpris jesqe en Eyre; et si le dit gardein aps le dit bref receu ne face tieus enditez sanz delei deliverer a meinpris, sanz rien ℈ndre, donq eit le pleintif bref en Chancelerie al viscont de attacher le gardein devant le Roi au certein jour a respondre, pr quei il nad replevi celi qi est ensi pris; e le viscont appellez les verders face deliverer celi qe est pris p bon mainpris en le ℈sence des Verders, & les nouns des mainpnours face liverer a mesmes les verders a respondre en Eyre devant Justices. Et si le chief gardein de ceo soit ateint, soient agardez as pleintifs ses damages au treble, et le dit gardein a la p'son & reint a la volente le Roi, et mes ne soit en office le Roi. Et desormes soit escrit a eux com as chiefs gardeins de la forest, pr ce qe Justic ne deivent il estre, ne record avoir, forsq en Eyre. Et pr ceo qe hom dit qe les chiefs gardeins des forestes encontre la forme susdite unt p's & levez fins amcimentz & ransons, Nous ordenoms qe les gardeins avantdiz e les autres chiefs gardeins rendent lour acontes, des p'ses susdites, devant le Tresorer & les Barons del Escheqer entre cy et le Noel proschein avenir.

[1] *Rot. Ord.* omits. [2] enditez *Rot. Ord.*

Offices, of which Grievances the People, who are so much grieved, do not dare openly to complain, nor to prosecute their Suit in the King's Court, while they are in their Bailiwicks and Offices; We do ordain that of all Wardens, Bailiffs, and Ministers of the Forests, who before the Time of the King who now is, have been wont to be removeable at the King's Pleasure as well of those to whom their Bailiwicks and Offices have been already wilfully granted for term of life, notwithstanding such Grant, as of others, their Bailiwicks or Offices shall be seised in the King's hand; and that good and sufficient Persons be assigned Justices to enquire upon the Grievances aforesaid, and to hear and determine all the Grievances and Plaints of all those who will prosecute for the King, or for themselves, against the said Wardens, Bailiffs, and Ministers of the Forests, or others, according to the Law and Custom of the Realm; and in such sort as the Law will permit, the Plaints shall be determined between this and the Easter next coming, or before, if they can in due manner according to Law. And if the said Wardens, Bailiffs, and Ministers be found guilty of the Grievances aforesaid, then they shall be removed for ever, and if not, they shall have again their Bailiwicks and Offices.

XIX. Of Indictments of the Forest.

AND Forasmuch as many Persons have been disherited, fined, and destroyed by the Chief Wardens of the Forests on this side of Trent and on the other, and by other Ministers, against the form of the Charter of the Forest, and against the Declaration which King Edward the Son of King Henry made in the Form which followeth; that is to say;

34 *Ed. I. Ordinatio Foreste, c.* 1.

"We will and grant for ourselves and our Heirs, that concerning Trespasses hereafter to be done in our Forests of Green-Hue and of Hunting, the Foresters within whose Bailiwicks such Trespasses shall happen to be committed, shall present the same at the next Swanimote before the Foresters, Verdors, Regardors, Agistors, and other Ministers of the same Forest; and upon such Presentations there before the Foresters, Verdors, Regardors, Agistors, and all other Ministers aforesaid, by the Oath as well of Knights as of other lawful and honest Men of the nearest parts where the Trespass so presented shall be done, not suspected, the truth of the matter shall be better and more fully inquired of; and the truth so inquired of, the same Presentations by the common Accord and Assent of all the Ministers aforesaid shall be solemnly confirmed and sealed with their Seals: And if an Indictment be in any other Manner, it shall be adjudged void."

And because that the Chief Wardens of the Forests have not observed the said Form heretofore, We do ordain, that henceforth no one shall be taken or imprisoned for Green-Hue or Hunting, unless he be found with the Mainour, or indicted in the form before mentioned, and then the Chief Warden of the Forest shall deliver him to Mainprize until the Eyre of the Forest, without taking any thing for his deliverance. And if the said Warden will not do it, he shall have the Writ in the Chancery which was of old ordained for such Persons indicted, to be at Mainprise until the Eyre; And if the said Warden, after the receiving of the said Writ, do not cause such Persons indicted to be delivered to Mainprise, without taking any thing, then the Plaintiff shall have a Writ in the Chancery to the Sheriff, to attach the Warden before the King, to answer at a certain day, why he hath not replevied him, who is so taken; And the Sheriff, calling the Verdors, shall cause to be delivered him who is so taken, to good Mainprise, in the presence of the Verdors, and shall cause to be delivered the names of the Mainpernors to the same Verdors, to answer in Eyre before the Justices. And if the Chief Warden be thereof attainted, there shall be awarded to the Plaintiffs their treble Damages; and the said Warden shall be imprisoned and ransomed at the King's Pleasure, and shall never be in the Service of the King. And from henceforth it shall be written to them as to the Chief Wardens of the Forest, because that they cannot be Justices, nor have Record, except in Eyre. And Forasmuch as it is said, that the Chief Wardens of the Forests have taken and levied Fines, Amercements, and Ransoms against the Form aforesaid, We do ordain, that the said Wardens, and the other Chief Wardens do render their Accounts of the aforesaid Prises before the Treasurer and Barons of the Exchequer, between this and the Christmas next to come.

XX. Concerning Piers Gavaston.

FORASMUCH as it is a Matter known, and proved by the examination of the Prelates, Earls, and Barons, Knights, and other good People of the Realm, that Piers de Gavaston hath evil led and evil counselled our Lord the King, and hath enticed him to do evil in divers and deceitful manners, in gathering to himself all the Treasure of the King, and sending the same out of the Realm; in accroaching to himself Royal Power and Royal Dignity, as in making alliances of People by Oaths to live and die with him against all Men, and that by the Treasure which he acquited from day to day; in lording it over the State of the King and of the Crown, in destruction of the King and his People, and especially estranging the King's heart from his Liege People; in despising their counsels; not suffering good Ministers to execute the Law of the Land; in removing good Ministers, putting in those of his covin, as well Aliens as others, and who at his will and at his command offended against Right and the Law of the Land; in taking the King's Lands, Tenements, and Bailiwicks to him and his Heirs; and hath caused the King to give the Lands and Tenements of his Crown to divers People, to the great Damage and Decrease of the State of the King and of his Crown; and that as well since the Ordinance which the King granted to the Ordainours, to act for the profit of him and of his People, as before, against the Ordinance of the Ordainours; and maintaining Robbers, Homicides, and causing them to obtain the King's Charter of his Peace, in encouraging evil doers to act worse; and in carrying the King into hostile Land without the Assent of his Baronage, to the peril of his Person and the destruction of his Realm; and in causing to be sealed Blank Charters under the Great Seal of the King, in deceit and disheritance of the King and his Crown, and against his homage; and feloniously, falsely, and traiterously hath done the things aforesaid, to the great dishonour and damage of the King, and disherison of his Crown, and disherison of the People in many ways: And Moreover We, having regard to the Deeds of the most noble King, the Father of the King that now is, by whose award the aforesaid Piers abjured the Realm of England, and who willed that our Lord the King his Son should abjure for ever his Company; and that since by the common Assent of all the Realm, and of the King, and of the same Prelates, Earls, and Barons, it was heretofore awarded that he should void the said Realm, and he did void the same; and that his Return was never by common Assent, but only by the Assent of some Persons, who, under condition if he should well demean himself after his return, assented thereto: And now for certain is found his evil demeanour; for which demeanour, and for the great evils aforesaid, and for the many others which may happen to our Lord the King and his People, and for nourishing good concord between the King and his People, and to eschew many manners of discords and perils; We do ordain, by virtue of the Commission of our Lord the King to us granted, that Piers de Gavaston, as the open Enemy of the King and of his People, be for ever exiled, as well out of the Realm of England, Scotland, Ireland, and Wales, as from all the Dominion of our Lord the King, as well beyond the Sea as on this Side, for ever, never to return: and that he do void the Realm of England and all the Lands aforesaid, and entirely all the Dominion of our Lord the King, between this and the Feast of All Saints next to come; and We do give him Port at Dover, in the form aforesaid, and no where else, from whence to pass and go out. And if the said Piers do abide in the Realm of England, or in any other place within the Dominion of our Lord the King, beyond the said Day which is given to him to go out and pass as is aforesaid, then it shall be done of him as of the Enemy of the King and of the Realm, and of his People. And that all those who henceforth shall contravene this Ordinance in respect of the said Exile, or the penalty thereupon ensuing, it shall be done of them according to that which thereunto pertaineth, if thereof they be attainted.

XXI. Concerning Emery Friscombaud.

ALSO We do ordain, that Emery and those of the Company of Friscombaud do render account in the manner that was ordained and published, notwithstanding the account which they say they have rendered, within the Quinzime of St. Michael next coming, and in the mean time there be arrested all the Bodies and all the Goods of the Company of those of Friscombaud, who can be found in the power of the King of England,

D' Piers de Gavaston. 20.

20. Pur ceo qe conue chose est & p le examinemẽt des Prelatz, Countes & Barons chevalers e autres bones gentz du Realme trove qe Pierres de Gavaston ad malmenez & malconseiles nr̃e Seign[r] le Roi & lad entice a malfair en dverses maners & deceivantes en aquillant a luy tut le Tresor le Roi e lad elloigne hors du Realme, en attreant a luy [real[1]] poer e [real[2]] dignite, com en alliance faire des genz p s̃mentz e vivre & morer ovesq̃ luy encontre tutes gentz, & ce p le Tresor qe il p[r]chace de jour en jour, enseignurant s[r] lestat le Roi & de la corone, en destruccion du Roi et du poeple, et especiaument enloignant le cuer le Seign[r] des ses liges [gen - -[3]] despisant lour conseils, nient soeffrant bons ministres faire lei de terre, en ostant les bones ministres, mettant ceux de sa covine, auxi bien aliens com autres, e q̃e a sa volunte & a son comandement offendunt droit et lei de terre, enpnant terres tenementz & baillies du Roi a luy & a ses heires, & ad fait q̃ le Roi ad done t̃res & tenemenz de sa corone a div̄ses gentz au grant damage & descres de lestat le Roi & de sa corone, & ceo auxi bien puis lordeinement qe le Roi g[r]nta as ordenours de faire au p̃fit de luy & de son poeple, cũ devant encontre lordenement des ordenours, & [meintent[4]] Robbeours homicides (?) & les fait avoir la chartre le Roi de sa pees, en donant hardement as meffesours de pis faire, & en menant le Roi en terre de Guerre sanz comun assent de son Barnage en pil de son corps & en destruccion du Realme, & en fesant sealer blaunches chartres desout le grant seal le Roi en deceit & desheritance le Roi, e de sa corone, & encontre son homage; Et felonesement, fausement, & treiterousement ad fait les choses susdites a gr[n]t deshonour & damage du Roi, & deshériteson de la corone & a destruccion du poeple, en multz des maners: Et ovesq̃ ceo nous eauntz regard a les faitz le tres noble Roi piere le Roi qore est p qi agard lavantdit Pierres forsjura le Realme Dengleterre, e voleit qe nr̃e seign[r] le Roi son fiz forsjurast a touz jours la compaignie de luy; Et qe puis p comun assent de tote le Realme & du Roi & de luy mesmes Prelatz, Countes, & Barons autrefoitz estoit agarde de mesme le Realme voider, & voida, & qe son retourner nestoit unqes p comun assent, mes solement p assent dasqunes psones qe soutz condicion si bien se portast apres son retorner a ceo se assentirent: et ore certeimment est trove son mal port, pur quel port, e p[r] les g[n]tz malveistez susditz & p[r] plusours autres qe porront avenir a nr̃e seign[r] le Roi & a son poeple, e p[r] bon acord nurtir entre le Roi e ses gentz, et multz de maners de descordez & pilz eschuire; Nous ordenoms (?) p vertu de la cõmission nr̃e Seign[r] le Roi a nous grantee qe Pierres de Gavaston com apert enemi le Roi & de son poeple soit de tut exilez auxi bien hors du realme Dengleter̃e, Deseoce, Dirland, & de Gales, cum de tute la Seignuri nr̃e seign[r] le Roi, auxi bien de la la mer com decea, a touz jours saunz james retourner; & qil void le Realme Dengleter̃e, & tuttes les t̃res susditz, & tut outrement tut la Seignurie nr̃e Seign[r] le Roi entre cy & la feste de touz Scintz pschein avenir; Et luy donoms port a Dovre en la forme susdite, et nul part aillours a passer & a voider. Et si le dit Pierres demoerge en le Realme Dengleter̃e ou nule part aillours en la Seignuri nr̃e Seign[r] le Roi outre le dit jour qe done luy est de voider e de passer com est susdit, adonq̃ soit fait de luy com del enemi du Roi & du Realme & de son poeple. Et qe touz ceaux qe desormes vont contre cest ordeinement en droit du dite exil ou la pein qe sensuit, soit fait de eux solom ceo [qil[5]] appent, si de ceo soient atteinz.

D' Emeri Friscombaud. 21.

Aussint n̄ ordenoms qe Emery & ceux de la compaignie de Friscombaud viegnent a la conte [a[6]] la mancre qe fust ordeine & pubpliee non contresteant la conte qil se dient avoir renduz de denz la q[n]zein de la Seint Michel preschein avenir, et endementres soient mis en areste touz les corps & touz les biens de la compaignie de ceaux de Friscombaud qe porront estre trovez en le poer le Roi Dengleter̃e,

[1] roial
[2] roiale
[3] gentz en
[4] meintient
[5] q̃ y
[6] rendre en
} *Rot. Ord.*

[7] & larons *MS. Cott.* 1.
[8] com Ordinours *MS. Cott.* 1.

et qe tutes les ꝑres le dit Emery soient seisies en la meyn le Roi ou qil soient en le dit poer le Roi. Et si le dit Emy ne viegne de denz le jour assigne, pr ceo qe p luy est lordenement susdit enfreint, & pr sa sustrete il rend soi mesmes coupable & suspecte; Noꝰ ordenoms qe il soit banny hors del poer le Roi, & de cele houre en avant soit tenuz a enemy, et de luy soit fet com del enemy du Roi & du Realme, si nule part soit trovez en le poer le Roi auxi bien dela com decea.

D' Monš Henri de Beaumont. 22.

Auxint pr ceo qe mon sire Henri de Beaumont ad pris de nre Seignr le Roi au damage & deshonure du Roi puis le temps del ordeinement des ordeinours a quel le Roi se agrea, le Realme de Man, & autres ꝑres, rentes, franchises, & Baillies, & pcure a doner as autres ꝑres & tenemenz franchises & Baillies contre cel ordeinement, et pr ceo qil ad malconseile le Roi, encontre son ꝑment; Noꝰ ordenoms qe il soit hoste du conseil le Roi pr touz jours, et qe pres du Roi mes ne veigne, nulle part, sil ne soit a cõe somonce de ꝑlement ou en guerre si le Roi le voet avoir, si il ne soit p cõe assent del Ercevesq, Evesqs, Countes, & Barons & ceo en plein parlement; Et tuttes les autres ꝑres qil tient denz le Realme Dengleꝛre soient pris en la maine le Roi Dengleꝛre, & tenues tant qe le Roi eit resceu des issues de celes ꝑres la value de touz les esplez, qe le dit sir Henri ad pris des ꝑres resceues contre le dit ordeinement, et si le dit Sire Henri veigne en nul point contre cestes ordenances soit desheritz pr toutz jours de tuttes les terres qil ad en Engleꝛre du doun le Roi.

D' la Dame de Vescy. 23.

Pur ceo qe trove est p examinement des Prelatz, Countes, & Barons qe la Dame de Vescy ad pcure le Roi a doner a Sire Henri de Beaumont, son frer e as autres, terres, franchises & [baillifs [1]] a damage & deshonr du Roi & apert desheriteson de la corone, et auxint pcure de maunder hors lettres [de [2]] la Targe contre lei & lentencion du Roi; Nꝰ ordenoms qel aille a sa meson, & ceo dedenz la qinzein de la Seint Michel ꝓchein avenir, saunz james retourner a la Court pr demoer faire; et qe pur tuttes cestes choses avantdites, et pr ceo qe hom entent qe le chastel de Bamburgh est de la corone, Nous ordenoms auxint qe cel chastel soit repris de luy en la mayn le Roi, et qe mes [nen [3]] soit baille a luy ne a autre forsqe a la volunte le Roi.

D' acqlitances en lescheqier. 24.

Et pur ceo qe le poeple se sent mult grevez p diverses dettes qe lour sunt demandeez a loeps le Roi p somonce del Escheqer, les queux dettes sont paieez, dont les gentz ont diverses acquitances, les uns p tailes & p brefs, & les uns p divses franchises qe leur sont grntees p faitz de Rois qe sont alowables; Nous ordenoms qe desormes sur la conte de chesqun viscont et dautres ministres le Roi, qe acounte deivent rendre al Escheqer soient tieux maneres des tailes brefs & franchises alouwes qe alouables sont sr laconte, si les dites acquitances soient demostrees a la Court, issint qe mes ne corgent en demande p defaute de alouance. Et si le Tresorer & les barons del Escheqer ne le facent en la forme avantdite, eient les pleintifs lour recoverir p peticions en ꝑlement.

D' plez tenir en lescheqier. 25.

Pur ceo qe comuns Marchantz e autres plusours du poeple sont receux de pleder al Escheqer ples de dettes, et de trespas, p la reson qe il sont avowez p les ministres de la dite place, plus avant qe estre ne devoint, dont les acontes e les autres choses tochauntes le Roi, sont le plus delaiez, & ovesq ceo multz des gentz del poeple grevez; Nous ordenoms qe desormes ne soient tenuz plez en la dite place del Escheqer, forsqe les plees tochantz le Roi e ses ministres qe sont responables en lescheqer, p la reson de lour offices, et les ministres de mesme la place, & lour mesnẽgs & lour ꝓvantz qe touz le plus sont demorant oveq eus en les lieux ou le Escheqer demorert; et si nul soit resceu par avowri de la dite place de pleder en le dit Escheqer encontre la forme susdite, eient les enpledez lour recoverir en ꝑlement.

[1] baillies *Rot. Ord.* [2] desouz *Rot. Ord.* [3] ne *Rot. Ord.*

and that all the Lands of the said Emery be seised into the hand of the King, wheresoever they be in the power of the King. And if the said Emery doth not come within the day assigned, forasmuch as the aforesaid Ordinance is by him broken, and by his withdrawing himself he maketh himself culpable and suspected; We do ordain, that he be banished out of the power of the King, and from that time forward he be holden as an Enemy, and of him it shall be done as of an Enemy of the King and of the Realm, if he be found any where in the power of the King, as well beyond Sea, as on this side.

XXII. Concerning Sir Henry de Beaumont.

ALSO Forasmuch as Sir Henry de Beaumont hath taken of our Lord the King, to the Damage and Destruction of the King, since the time of the Ordinance of the Ordainours to which the King agreed, the Realm of Man, and other Lands, Rents, Franchises, and Bailiwicks, and hath procured to be given to others Lands and Tenements, Franchises and Bailiwicks contrary to that Ordinance, and for that because he hath evil counselled the King contrary to his Oath; We do ordain that he be put out of the King's Counsel for ever, and that he do never, in any place, come near the King, unless it be at the common Summons of the Parliament, or in War if the King willeth to have him, unless it be by common Assent of the Archbishops, Bishops, Earls, and Barons, and that in full Parliament, and all other Lands which he holdeth within the Realm of England, shall be taken into the hand of the King of England, and holden until the King hath received of the Issues of those Lands the Value of all the Esplees which the said Sir Henry hath taken of the Lands received contrary to the said Ordinance. And if the aforesaid Sir Henry do in any point contravene these Ordinances, he shall be disherited for ever of all the Lands which he hath in England of the Gift of the King.

XXIII. Concerning Lady de Vescy.

FORASMUCH as it is found by the Enquiry of the Prelates, Earls, and Barons, that the Lady de Vescy hath procured the King to give to Sir Henry de Beaumont her Brother, and to others, Lands, Franchises, and Bailiwicks, to the damage and dishonour of the King, and open disherison of the Crown, and also procured to be sent out Letters under the Privy Seal against the Law and the Intent of the King, We do ordain, that she go to her house, and that within the Quinzime of St. Michael next coming, without ever returning to the Court to make stay; And that for all the Things aforesaid, and because that it is understood that the Castle of Bamburgh belongeth to the Crown, We do also ordain that the said Castle be retaken from her into the King's hand, and that it be not delivered to her nor to any other, except at the King's Pleasure.

XXIV. Of Acquittances in the Exchequer.

AND Forasmuch as the People do feel themselves much aggrieved by divers Debts which are demanded of them to the King's use by Summons of the Exchequer, the which Debts are paid, whereof the People have divers Acquittances, some by Tallies and Writs, and others by divers Franchises which were granted to them by Deeds of Kings, which are allowable; We do ordain, that from henceforth upon the Account of every Sheriff, and of other Ministers of the King, who ought to render account at the Exchequer, such manner of Tallies, Writs, and Franchises be allowed, which are allowable upon the Account, if the said Acquittances be shewn to the Court, so that they do not run in demand by default of Allowance; and if the Treasurer and Barons of the Exchequer do not perform this in manner aforesaid, the Plaintiffs shall have their recovery by Petitions in Parliament.

XXV. Of holding Pleas in the Exchequer.

FORASMUCH as common Merchants and many other of the People are received to plead in the Exchequer Pleas of Debt and Trespass, by reason that they are acknowledged by the Ministers of the said Court more readily than they ought to be, whereby the Accounts and other things touching the King are the more delayed, and besides that many of the People are aggrieved; We do ordain, that from henceforth Pleas shall not be holden in the said Court of the Exchequer, except Pleas touching the King and his Ministers, who are answerable in the Exchequer by reason of their Offices; and the Officers of the same Court, and their Attendants and Servants, who chiefly are abiding with them in the Places where the Exchequer abides; And if any be received by the acknowledgement of the said Court to plead in the said Exchequer in the form aforesaid, the Parties impleaded shall have their recovery in Parliament.

XXVI. Of holding Pleas in the Marshalsea.

LIKEWISE, Forasmuch as the People do feel themselves much aggrieved that the Stewards and Marshals hold many Pleas which do not belong to their Office, and also in this that they will not receive Attornies as well for the Defendants as for the Plaintiffs, We do ordain, that from henceforth they receive Attornies as well for the Defendants as for the Plaintiffs, and that they do not hold Plea of Freehold nor of Debt, nor of Covenant, nor of Contract, nor any common Plea concerning the common People, but only of Trespass of those of the Household, and of other Trespasses done within the Verge, and of Contracts and of Covenants which any one of the King's Household shall have made with others of the same Household, and in the same Household, and no where else; And that they plead no Plea of Trespass other than that which may be attached by them, before that the King go out of the Verge where the Trespass shall be done, and shall plead them speedily from day to day, so that they be pleaded through and determined, before that the King go out of the Limits of that Verge where the Trespass was done; And if perchance they cannot be determined within the Limits of that Verge, such Pleas shall cease before the Steward, and the Plaintiffs shall sue by the common Law. Nor from henceforth shall the Steward take cognizance of Debts, nor of other things, except of Persons of the Household aforesaid, and against Persons of the Household aforesaid, nor shall hold none other Plea by Obligation made at the Distress of the Steward and of the Marshals; Nor shall any one of the Household, nor any who follow the Household, be put in Inquest before them, excepting where the Plaintiff and Defendant be of the same Household, and of Deeds done in the same Household; And if the Steward and Marshals do any thing against this Ordinance, their Deed shall be holden for none; and they who feel themselves aggrieved against the said Ordinance, shall have a Writ in Chancery pleadable in the King's Bench, and shall recover their Damages against those who hold the Plea, and who have drawn them into Plea, by the discretion of the Justices, having regard to their Purchase, Costs, Grievances, and Losses, according to the quantity of the Trespass, and they shall never be in the Service of the King.

XXVII. Of performing the Office of Coroner within the Verge.

AND Forasmuch as heretofore many Felonies done within the Verge have been unpunished, because that the Coroners of the Country have not been authorised to enquire of such manner of Felonies done within the Verge, but the Coroner of the King's Household, by reason whereof there hath been no Trial made in due manner, nor the Felons put in Exigent, nor outlawed, nor any thing of such Felony presented in Eyre, which is to the great Damage of the King, and the less secure maintenance of his Peace; We do ordain, that from henceforth in case of Homicide, whereof the Coroner's Office is to make View and Inquest, it shall be commanded to the Coroner of the Country or of the Franchises where the dead Persons shall be found, that he together with the Coroner of the Household do execute the Office which thereunto pertaineth, and shall enter it in his Roll; And of that which cannot be determined before the Steward, because that the Felons cannot be attached or found, or for any other reason, the process shall remain at the common Law, so that the Exigents, and the Outlawries and the Presentments made thereof be shewed in Eyre by the Coroner of the Country, as well as of other Felonies done out of the Verge; Nevertheless they shall not omit, by reason hereof, to make Attachments freshly upon the Felonies done; if they can be found.

XXVIII. Of Charters of the King's Peace.

FORASMUCH as the People do feel themselves much aggrieved in this, that Persons are emboldened to kill and rob others, because that the King by evil advice giveth so lightly his Peace against the form of Law; We do ordain, that no Felon nor Fugitive be from henceforth protected or defended from any manner of Felony, by the King's Charter of his Peace granted to him, unless in a case where the King can give grace according to his Oath, and that by Process of Law and the Custom of the Realm, and if any Charter be from henceforth granted and made in any other manner to any one, it shall avail nothing, and be holden for none: And that no open evil doer against the Crown and the Peace of the Land, be by any one aided or maintained.

Ensement pur ceo qe le poeple se sent multz grevez qe senechaux & marchaux tenent multz des pleez qe a lour office ne appendent, & auxi de ceo qe eus ne voillent receiver attornez auxi bien pur les defendanz cum p' les pleintifs, Nous ordenoms qe desormes resceivent attornez auxi bien p' les defendanz cum pur les pleintifs; Et qil ne tiegnent pleez de fr'nk tenement ne de dette ne de covenant, ne de contract, ne nul comun plai des gentz du poeple, fors tantsoulement des trespas del hostel (mesmes,[1]) et [de[2]] autres trespas faitz dedenz la verge & de covenantz & convenantes qe asquns del hostel le Roi averount fait a autre de mesmes lostel, e en mesme lostel, et nemie ailleurs, et qe nul plee de trespas ne pledent autre qe ne soit attache p eux avant qe le Roi isse hors de la verge ou le trespas ert fait, & les pleident hastivement de jour en jour, issint qil soient ppledez & 'minez avant ceo qe le Roi isse hors de les bondes de cele verge ou le trespas fust fait; et si p cas dedenz les bondes de cel verge ne poent estre 'minez, cessent tieux plaiez devant le Seneschal, et ceo p'chasent les pleintifs p la comune Lei. Ne desormes ne preigne le Seneschal conisances des dettes ne dautres choses, fors qe des gentz del hostel avantdit, et encontre gentz del hostel avantdit, ne nul autre plai ne tenent p obligacion faite a la destresse du Seneschal & des marechaux: Ne qe nul del hostel ne q̄ suient le hostel ne soient mys en enquest devant eux, fors qe la ou le pleintif e le defendant sont du dit hostel, & des faitz fetz en mesme lostel; et si le Seneschal & Mareschaux rien facent contre cest ordeinement soit lour fait [nul;[3]] Et qe ceaux qe se senteront grevez contre la dite ordinance eient bref en chancelerie pledable en bank le Roi, et recoverent lour damages vers eux qi tiegnent le plai, & qe les unt trait en plai p descrecion des Justic̄ eantz regard a lur p'chaz custages grevances & ptes solom la q'ntite du trespas, et mes ne soient en 9vise le Roi.

D' pleitenir en la Mareschaucie. 26.

Et p' ceo qe avant ces houres multz des felonies faites dedenz la verge unt este despuniez p' ceo qe les coroners du pais ne se sont pas entremis denquer de tieux maners des felonies dedenz la verge, mes le coroner del hostel le Roi, de quoi issue nad mie este fait en due manere, ne les felons mis en exigendes, ne utlagez ne rien de tieu felonie 9sente en Eyre qe est au gr'nt damage le Roi et a meins bon garde de sa pees; Nous ordenoms qe desormes en cas de mort de hom, ou office de coroner apent a les veues des corps mortes & as enquestes de ceo faire, soient mandez les coroners des pais ou des fr'nchises p la ou les mortz 9ront trovez, qe assemblement ove le coroner del hostel face le office qe apent & le mette en son Roele; & ceo qe ne purra mie devant le Seneschaux estre 'minez p ceo qe les felons ne purront estre attachez ne trovez ou p autre encheson, demoerge le processe a la comune lei, issint qe les exigendes e les utlagaries & les 9sentementz de ceo faitz soient mustrez en Eyre p le Coroner du pais auxint cum des autres felonies faites dehors la verge; mes p' ceo ne soit lesse qe les attachementz ne soient faitz frechementes s' les felonies faites sil puissent estre trovez.

D' office de Coron faire deinz la 9ge. 27.

Purceo qe le poeple se sent multz grevez de ceo qe gentz sont esbaudes de tueir les gentz & robber p tant qe le Roi p malveis conseil leur donne si legerement sa pees contre la forme de lei; Nous ordenoms qe nul felon ne futif ne soit covert ne defendu desormes de nul maner de felonie, p la chartre le Roi de sa pees a luy g'ntes, nen autre maner si non en cas ou le Roi poet faire g'ce solom son 9ment, e ceo p pces de ley, et la custume du Realme, et si nule chartre soit deshore en avant g'ntee, e faite en autre maner a nuli, rien ne vaile, et pur nule soit tenu; & qe nul apert meffesour encontre la corone et la pees de la 9re p nuli soit cydez ne meyntenuz.

De les Chartres le Roi de sa pees. 28.

[1, 2] *Rot. Ord.* omits.

[3] tenuz pur nul; *Rot. Ord.*

D' plementz tenir de an en an. 29.

Pur ceo qe multz des gentz sont delaiez en la Court le Roi de lour demande p tant qe la ptie alegge qe les demandans ne deivent estre respondeuz sanz le Roi, & auxint multz des genz grevez p les ministres le Roi encontre dreiture des quels grevances hom ne purra avoir recoverir sanz comun plement; Nous ordenoms qe le Roi tiegne plement une foitz p an ou deux foiz, si mestre soit, et ceo en lieu covenable, et qe en mesmes les plementz soient les pleez qe sont en la dite forme delaiez, et les pleez ou les Justic sont en divers opinions recordeez & pminez; et en mesme la manere soient les billes pmineez qe livereez sront en plement si avant com lei et reson le demande.

D'leschange de moneie. 30.

Pur ceo qe a totes les foiz qe eschange de monee se fet en Realme tut le poeple est g[a]ntement grevez en multz des maners; Nous ordenoms qe q[u]. nestre sra. [illegible] le Roi voille eschange faire, qe il le face p comun conseil de son Barnage & ceo en plement.

D' touz estatuz garder. 31.

Ensement nous ordenoms qe tous les estatutes qe sont faitz en amendement de la lei & au pfist du poeple p les ancestres nre Seign[r] le Roi soient gardez & meintenuz si avant com estre deivent p lei & reson, issint qe eux ne soient pas contraires a la g[a]nt chartre ne a la chartre de la forest, ne encontre les ordeinementz p nous faitz, & si nul estatut soit fait encontre la forme susdite soit tenuz p[r] nul, & tut outrement defait.

Qe lei de tre ne soit delaee p tres du p[r]ve Seal. 32.

Purceo qe la lei de la terre et comun droit unt este sovent delaiez p lettres issues desoutz le p[r]ve seal le Roi, au g[a]nt grevance du poeple; Nous ordenoms qe desormes la ley de la tre ne comun droit ne soient delaiez ne desturbeez p lettres du dit seal, et si rien soit fait en nule des places de la Court nre seign[r] le Roi ou aillours p tiels lettres issues desutz le p[r]ve Seal, encontre dreiture ou lei de terre, rien ne vaille ne p[r] nient soit tenuz.

D' lestatut de marchantz. 33.

Pur ceo qe multz des gentz de poeple autres qe marchantz conuz se sentent mult grevez e reintez p lestatut des Marchanz fait a Acton Burnel, Nous ordenoms qe (1) cel estatut ne se teigne mes fors qe entre [Marchaux et Marchaux,[2]] et des marchandises entre eux faites, et qe la reconisance se face si come est contenuz en le dit estatut, et p tesmoignanz des q[a]tres pdeshoms et leaux conuz et qe lour nons soient entrez en la reconisanz p[r] tesmoigner le fait; Et qe a nuli soient autres tres liverez a tenir en noun de fr[a]nk tenement p la vertu del dit estatut, forsp[s] Burgages des Marchanz e lour chateux moebles, et ceo fait a entendre entre marchanz et marchanz, conuz marchanz. Estre ceo Nous ordenoms qe le Seals le Roi qe sont assignez p[r] tesmoigner les dites conisances soient baillees a plus riches et plus sages des villes souzdites a cele garde esleuz p les comunaltez de mesmes les viles, cest asavoir, a Noef chastel sur Tyne, a Everwik & Notingh[a]m pur les contiez de la Trente, et les Marchantz ilokes venantz & demoerantz. A Excestre, Bristeut, & Suth[a]mptoñ p[r] les Marchantz venantz & demorrantz en les parties del Suth & del West; a Nichol et North[a]mtoñ pur les Marchantz venantz et demorrantz ilokes; a Loundres & a Cantrebiñ p[r] les Marchantz, venantz & demorrantz en cels pties; a Salop pur les Marchantz venantz & demorrantz en cels parties; a Norwiz pur les Marchantz venantz & demorrantz en cels pties. Et les reconisances p aillours faites qe en les ditz villes tiegnent nul leu desormes.

D' gentz appellez lesser p mainp[r]se. 34.

Purceo qe multz des prisons devienent appellours pur lour vies esloigner et par diverses grevances et peins qe viscontes et Gaolers leur fount, en qi garde il sont, et les enforment dappeler les plus riches du pais, et gent de bone fame les queux il fount attacher et mettre en vile et dure p[r]sone, et pnent greve ranscon de eux des quels toltes et prises nul avantage ne accrest au Roi, Nous ordenoms qe desormes qe ceaux qi sont de bone fame appellez de appellours qe de droit [ne[3]] deussent avoir nule voice, ne soient mis en prison, par quei qil puissent trover bone mainprise destre en la pscheine deliveraunce de Gaole dester a la lei, et eus acquiter de la

[1] desoremes *Rot. Ord.*

[2] marchauntz & marchauntz *Rot. Ord.*

[3] *Rot. Ord.* omits.

FORASMUCH as many Persons are delayed in the King's Court of their Demands, because that the Party alledgeth, that the Demandants ought not to be answered without the King, and also many People be aggrieved by the King's Ministers against Right, in respect of which Grievances no one can recover without a common Parliament; We do ordain, that the King shall hold a Parliament once in the year, or twice, if need be, and that in a convenient Place: And that in the same Parliaments, the Pleas, which are in the aforesaid form delayed, and the Pleas whereon the Justices are of divers Opinions, shall be recorded and determined. And, in like manner the Bills shall be finished which are delivered in Parliament, in such sort as Law and Reason demand.

XXIX. Of holding Parliaments annually.

FORASMUCH as at all times when an Exchange of Money is made in the Realm, the People are greatly aggrieved in many manners; We do ordain, that when need be, and the King willeth to make an Exchange, that he do it by the common Counsel of his Baronage, and that in Parliament.

XXX. Of the Exchange of Money.

LIKEWISE We do ordain, that all the Statutes which have been made in Amendment of the Law, and to the Profit of the People by the Ancestors of our Lord the King, be kept and maintained in such sort as they ought to be by Law and Reason, so that they be not contrary to the Great Charter, nor the Charter of the Forest, nor against the Ordinances by us made. And if any Statute be made against the form aforesaid, it shall be holden for none and altogether made void.

XXXI. Of the keeping all Statutes.

FORASMUCH as the Law of the Land and common Right are often delayed, by Letters issued under the King's Privy Seal, to the great grievance of the People, We do ordain, that from henceforth the Law of the Land and common Right be not delayed nor disturbed by Letters of the said Seal; And if any thing be done in any of the Places of the Court of our Lord the King, or elsewhere, by such Letters issued under the Privy Seal against Right or the Law of the Land, it shall avail nothing, and be holden for none.

XXXII. That the Law of the Land be not delayed by Letters of the Privy Seal.

FORASMUCH as many Persons, other than known Merchants, do feel themselves much aggrieved and fined by the Statute of Merchants made at Acton Burnell; We do ordain, that henceforth that Statute shall not hold except between Merchants and Merchants, and of Merchandizes made between them, and that the Recognizance be made like as is contained in the said Statute, and by the testimony of four good and lawful Men, who are known, and that their names be entered in the Recognizance to testify the fact, and that to no one shall other Lands be delivered, to hold in the name of Frank Tenement by virtue of the said Statute, except the Burgages of Merchants and their moveable Chattles, and that is to be understood between Merchants and Merchants, known Merchants. Moreover We do ordain, that the Seals of the King which be assigned to testify the said Recognizances be delivered to the most rich and the most sage, in the undermentioned Towns, chosen to such custody by the Commonalties of the same Towns; that is to say, at Newcastle upon Tyne, York, and Nottingham, for the Counties beyond Trent, and the Merchants there coming and abiding; at Exeter, Bristol, and Southampton for the Merchants coming to and abiding in Parts of the South and West; at Lincoln and Northampton, for Merchants there coming and abiding; at London and at Canterbury, for the Merchants coming to and abiding in those Parts; at Shrewsbury, for the Merchants coming to and abiding in those Parts; at Norwich, for the Merchants coming to and abiding in those Parts. And Recognizances made elsewhere than in the said Towns, shall not hold place from henceforth.

XXXIII. Of the Statute of Merchants.

FORASMUCH as many Prisoners do become Approvers for the saving of their Lives, and by means of divers Oppressions and Pains which Sheriffs and Gaolers, in whose custody they are, do cause to them, and set them on to approve the most rich Persons of the Country, and those of good fame, whom they cause to be attached, and to be put into vile and hard imprisonment, and take grievous ransom of them, from which Imposts and Takings no advantage doth accrue to the King, We do ordain, that from henceforth they who are of good fame being approved by Approvers, who of right ought not to have any voice, shall not be put into Prison, in case they can find good mainprise, to be at the next Gaol Delivery to abide the Law, and to acquit them of the charge according to the

XXXIV. Of letting to Mainprise Persons appealed.

Usage of the Realm, without taking any thing from them for being let to mainprize. And that at all times when the Gaol-Delivery is delayed by the absence of the Justices, or on other occasion, they shall be left by the said Mainprize, or by other sufficient Security, until the coming of the said Justices in the form aforesaid. Likewise, We do ordain, that they who become Approvers shall not be heard to approve any Man later than three Days next after the time when they become Approvers.

XXXV. Of Persons outlawed in Foreign Countries.

LIKEWISE, Forasmuch as many Persons, Terre-Tenants are appealed, through malice, of divers Felonies in Countries where they have not Lands or Tenements, and by malicious Suit are outlawed, to the loss of their Lives and the disherison of them and of their Heirs; We do ordain, that from henceforth no Man outlawed by such malicious Suit in the County where he hath not Lands or Tenements, shall be put to death, or disherited, in case that they who by such Suit are outlawed, do render themselves to the King's Prison, and can acquit themselves by the Counties in which they were outlawed of the Felonies and other Trespasses, in respect of which they were outlawed, and their Lands shall be restored to them when they are acquitted, if they be in the King's Hand; and if any other than the King be Tenant of the said Tenements they shall have their Recovery by Writ of Entry formed upon the said case; And they at whose Suit they were so outlawed shall be taken, and shall abjure the Realm, and if they cannot be found, they shall be put in Exigent and outlawed.

Forasmuch as many Persons, by false testimonies of Sheriffs, testifying that they cannot be found, and have not Lands or Tenements by which they can be distrained in their Bailiwicks, albeit they have in other Counties Lands and Tenements, are thereby put in Exigent in Counties where they have not Lands or Tenements, and perchance outlawed, in peril of their Lives, and in disherison of them and of their Heirs, if they be outlawed for Felonies; wherefore We do ordain, that Persons outlawed in such manner shall not be put to death, nor disherited of their Lands, in case they render themselves to the King's Prison, and can acquit themselves by the Counties in which they were so outlawed, that they be not guilty of the Felonies nor of the Trespasses laid to their charge, and they shall have recovery of their Lands and their Damages in form aforesaid.

XXXVI. Of abating Appeals.

LIKEWISE, Forasmuch as many Persons are the more emboldened to kill and rob People, by reason that Appeals pursued in the Court of our Lord the King are abated for too slight causes, and the Appellors taken and imprisoned and ransomed at the King's will, and those appealed at the King's Suit more lightly acquited than they would be if the Appeals were not abated; We do ordain, that from henceforth Appeals of Felonies be not abated, wherever the Appellors make mention in their Appeals of the Day, and the hour, and the place, and with what weapon the death was inflicted, and of what manner of Goods the Robbery was; And if the Appellors can acquit themselves of the said Felonies, they shall have their Recovery upon the Abettors and the Appellors, according to that which is contained in the Statute upon the Abettors of false Appeals, if the Appellees be not indicted of such Felonies by solemn Inquest.

XXXVII. Of deceit by means of Protections.

FORASMUCH as many Persons are delayed of their Suits in the King's Court, by Protections granted to Persons who pretend to go into the King's Service, and do so only to delay the Suit of the Plaintiff, as well in Plea of Land as in Plea of Debt, and of Trespass; to restrain such malice also, We do ordain, that if the Tenant in Plea of Land do use the Protection of our Lord the King after appearance, and the Demandant can aver that the Tenant was not in the King's Service the Day that the parol did demur without Day by reason of the Protection, the absence of the Tenant shall be turned into a default; And if the Tenant use his Protection before Appearance, it shall be lawful for the Demandant, if it be profitable to him to take a Writ in the Chancery upon the Tenant, to aver that he was not in the King's Service the Day that the Suit was delayed by the Protection, and if the Tenant be convict thereof, there shall be awarded to the Demandant his Damages by the Discretion of the Justices, regard being had to his Purchase, Costs, Charges, and Losses, and the Tenant shall be adjudged to Prison for the Deceit done to the King

fame solom lusage du Realme, sanz rien prendre [de eus[1]] destre a mainpris. Et qe a tuttes les foitz qe deliverance de Gaole se delai p absence des Justic̃ ou p autre encheson, soient lessez par la dite mainprise, ou par autre suffisante jesq̃ a la venue des ditz Justic̃, en la forme susdite. Ensement nous ordenoms q̃ ceaux (1) deviegnent appellours qe eux ne soient oiz de nul hom appeller plus longs qe treis jours ne plus pscheins apres le temps q̃ il deveignent appellours.

Ensement purceo qe malice des gentz cresce, q̃ [D' gentz utlagez en foreins pais. 35.] appellez p malice de diverses felonies en les Countes ou il ne unt tres ne tenementz & p malesuyte suite sont utlagez, en perte de lour vies et en disheritance de eus et de lour heirs, Nous ordenoms qe desormes nul hom p tiel malesuite suite utlage en Counte, la ou il nad terre ne tenement ne soit pris a la mort, de desheritie, p quei qe ceaux qe p tiel suite sont utlagez se rendent a la p'son le Roi et se puissent acquiter p les Countes en les quels il furent utlagez des felonies et dautres trespas pur les queux il furent utlagez, et lour terres lour soient renduz q'nt il ꝑront acquitez sil soient en la main le Roi; et si autre qe le Roi soit tenant des ditz tenementz par bref Dentre forme sur le dit cas eient leur recoverir, et ceaux a qi suite il furent issint utlage soient pris et forsjurent le Realme, et sil ne soient trovez soient mis en exigende, et utlagez.

Purceo qe plusours gentz p fals tesmoignans des viscontes tesmoignans qe eux ne sont mie trovez, ne unt tres ne tenemenz p unt il purront estre destrentz en leur baillies tut eient il en autre contez du Realme terres & tenementz, et p tant sont mis en exigende en les Countez la ou il ne unt terres ne tenementz, et p cas utlagez en peril de lour vies, en desheritance de eaux, e de lour heirs, sil soient utlagez pur felonies, p quei nous ordenoms qe les gentz en tieu maner utlagez ne soient mis a la mort, ne de leur terres desheritez, p quei il se rendent a la p'son le Roi, et se puissent acquiter p les Conteez en les queux il furent issint utlagez, qe eux ne sont pas coupables des felonies ne des trespas, qe leur sont mis sur, et eient recoverir de lour terres, et leur damages en la la forme susdite.

Ensement p' ceo qe multz gentz sont plus esbaud de tuer les gentz, et de robber de taunt qe les appeaus p'suis en la Court nr̃e seign' le Roi sont p trop legeres causes abatuz, et les appellours pris et enp'sonez, et reintz a la volente le Roi, et les appelez a la suite le Roi plus legerment acquitez qil ne ꝑoint si les appeals ne fuissent abatuz; Nous ordenoms qe desormes les appeals des felonies ne soient abatuz del houre qe les appellours font mencione en lour appeals del jour, et de houre, & del leu, et de quel arme il fust tuez, ou des queux maner des biens il fust robbe; et si les appellez se peussent acquiter des dites felonies, eient lour recoverir s' les abettors, et les appellours, solom ceo qe est contenu en lestatut ordeine sur les abettours de faux appeaux si les appellez ne soient enditeez des dites felonies p solempne enqueste. [D' appeaux abatre. 36.]

Purceo qe multz des gentz sont delaez de lour suites en la Court le Roi par pteccions g'nteez as gentz, qe se feignent daler en ꝑvice le Roi, et ne le font mie mes qe pur delaer la suite le pleintif auxi bien en plai de terre com en plai de dette, et de trespas, et pur tiel malice restreindre, No' ordenoms qe si le tenant, en plai de terre use la pteccion nr̃e seignur le Roi aps apparance, et le demandant puisse averrer qe le tenant ne fust mie en ꝑvice le Roi le jour qe la parole demorra senz jour p la pteccion, soit labsence le tenant tournee en une defaute; et si le tenant use sa pteccion avant apparance bien list a demandant sil entende son pfit faire de prendre bref en chancelerie sur le tenant de averrer qe il ne fut mie en le ꝑvice le Roi le jour qe sa suite fust delaiez p la pteccion, et si le tenant de ceo soit atteint, soient agardez al demandant ses damages p descrecion des Justic̃ eantz regard a son p'chaz custages mises et ptes, et soit le tenant jugge a la p'son pur la deceite faite au Roi [D' deceite faite p la pteccion. 37.]

[1] du soen *Rot. Ord.*

[2] qi *Rot. Ord.*

e a la Court a demorer un an et un jour, et soit reint a la volunte le Roi; et si la dite deceite soit atteint en playe de dette ou de trespas, soit le defendant puniz auxi bien devers le pleintif cum devers le Roi, en la forme susdite.

De la g^aunt Chartr & la Chartre de la Foreste. 38.

Ensement no^o ordenoms qe la gr^ant Chartre des franchises et la chartre de la foreste qe le Roi Henri, fiz le Roi Joh^an fist, soient tenues en touz leur pointz, et qe les poinz qe sont dutifs en les dites chartres des f^anchises soient [esclarez[1]] en lespchein plement apres cesti par lavisement del Barnage & des Justices & dautres sages gentz de la lei, et ceste chose soit faite pr ceo qe nous navoms mis eu poer de faire le durant nre temps.

D' ment de Ministres. 39.

Ensement no^o ordenoms qe Chanceler, Tresorer, [chief Chanceler del Escheqer,[2]] Tresorer de la Garderob, Seneschal del Hostel le Roi, tutes les Justic, Viscontes, Eschetours, Conestables, Enquerours a quel chose qe ceo soit, et touz autres Baillifs, e ministres le Roi, soient jurez a tuttes les foitz qil resceivent leur baillies, & offices, de garder et tenir totes les ordinances faites p les prelatz, Contes & Barons a ceo esluz & assignez, et chesqune deles santz venir contre nul point de eles.

D' Gentz assigner en parlementz. 40.

Ensement no^o ordenoms qe en chescun plement soient assignez un Evesqe, deux Countes, e deux Barons de oyr et terminer tutes les pleintes de ceaux qe pleindre se vodront des ministres le Roi, queux qil soient, qi sront contrevenuz les ordenaunces susdites; et si les ditz Esvesqe, Countes, & Barons ne puissent touz entendre ou soient desturbez de oyer & miner les dites pleintes, adonk le facent treis ou deux de ceaux, et ceaux qe sront trovez contrevenuz encontre les dites ordenances soient puniz devers le Roi, et devers les pleintifs par la descrecion des ditz assignez.

D' ces Ordinaunces publier. 41.

Ensement no^o ordenoms qe les ordenances susdites soient meintenues et gardieez en totes lour pointz, et qe nre seign^r le Roi les face mettre desuth son grant Seal, et envoir en chescun Countee Dengletre a publier, tenir & fermement garder, auxi bien dedenz fr^anchises come dehors, et en mesme le maner soit maunde au gardein de cink portz qil pmi tute sa baillie les face publier tenir, & garder en la forme avantdite.

[Les queles[3]] Ordinances a nous mustreez, et le Lundi pschein devant la feste de seint Michel drein passe publieez, agreoms, acceptoms & affermoms; et voloms et gr^antoms pour nous, et pur nos heires, qe tutes les dites Ordeinances et chesqun deles faites solom la forme de noz lettres avantdites soient publiees par tute nre Realme, et desormes fermement gardeez, et tenues. En testmoignance des queux choses, nous avoms fait faire cestes nos lettres patentes. Doneez a Loundres le quint jour de Octobre lan de nostre regne q^int. (4)

[1] esclareziz *Rot. Ord:* desclarez *MS. Cot.* 1: esclartiz *MS. Cot.* 2.

[2] Chiefs Justices de lun Baunk & de lautre, Chauncellier de leschequier, *Rot. Ord: MS. Cott.* 2. Chief Baroun del Escheker *MS. Cott.* 1. [3] Nous meismes celes *Rot. Ord.*

(4) Predce Ordinationes publicate fuerunt in Cimiterio apd Scm Paulum London, p dm Simonem Epm Saz aut^te & mandato spali venabil prs dni Robti Cantuar Archiepi; v^to kalend Octobr anno dni miffio CCC. undecimo, Regni vero Regis Edwardi filii Regis Edward Quinto. *Rot. Cant.*

and to the Court, to abide one year and a day, and he shall be ransomed at the King's Pleasure: And if the said Deceit be proved in a Plea of Debt or of Trespass, the Defendant shall be punished as well in respect of the Plaintiff as in respect of the King, in the form above mentioned.

XXXVIII. Of the Great Charter, and Charter of the Forest.

LIKEWISE We do ordain, That the Great Charter of Franchises, and the Charter of the Forest which King Henry the Son of King John made, be holden in all their points, and that the Points which are doubtful in the said Charters of Franchises be explained, in the next Parliament after this, by the advice of the Baronage, and of the Justices, and of other sage Persons of the Law. And this thing shall be done, because that we have it not in our power to do the same during our time.

XXXIX. Of the Oath of Officers.

LIKEWISE We do ordain, that the Chancellor, Treasurer, Chief Justices of the one Bench and of the other, the Chancellor of the Exchequer, the Treasurer of the Wardrobe, the Steward of the King's Houshold, all the Justices, the Sheriffs, Escheators, Constables, Inquirers for any matter whatever, and all other the King's Bailiffs and Ministers, shall be sworn at all times that they receive their Bailiwicks and Offices, to observe and keep all the Ordinances made by the Prelates, Earls, and Barons thereunto chosen and assigned, and every of them, without contravening them in any point.

XL. Of assigning Persons in Parliament to hear Complaints against Officers.

LIKEWISE We do ordain, that in every Parliament one Bishop, two Earls, and two Barons be assigned to hear and determine all the Plaints of those who will complain of the Officers of the King, whosoever they be, who shall have contravened the above mentioned Ordinances; And if the said Bishop, Earls, and Barons cannot all attend, or shall be hindered from hearing and determining the said Plaints, then three or two of them shall so do; and they who shall be found to have contravened the said Ordinances, shall be punished in respect of the King and in respect of the Plaintiffs, by the discretion of the said Persons assigned.

XLI. Of proclaiming these Ordinances.

LIKEWISE We do ordain, that the Ordinances aforesaid be maintained and kept in all their points, and that our Lord the King do cause them to be put under his Great Seal, and sent into every County of England, to be published, holden, and firmly kept, as well within Franchises as without; And in like manner it shall be commanded to the Warden of the Cinque Ports, that throughout his whole Bailiwick he do cause the same to be published, holden, and kept in manner aforesaid.

THE WHICH ORDINANCES to Us shewn and published the Monday before the Feast of St. Michael last past, We do agree to, accept, and affirm; and We do will and grant for Us and our Heirs, that all the said Ordinances and every of them, made according to the Form of our Letters aforesaid, be published throughout our Realm, and henceforth firmly holden and kept. In Witness whereof, We have caused to be made these our Letters Patents. Given at London, the fifth day of October, in the Fifth year of our Reign.

The Ordinances aforesaid were published in the Church-Yard at Saint Paul's, London, by Simon Lord Bishop of Sarum, by the authority and special command of the venerable Father Robert Lord Archbishop of Canterbury, on the fifth of the Kalends of October, in the year of our Lord 1311, and in the Fifth year of the Reign of K. Edward, Son of K. Edward.*

* See the following Entries respecting the making, altering, confirming, publishing, and ultimate Repeal of the Ordinances; viz. *Rot. Claus.* 3 *Ed. II. m.* 8. *d*; Letters of the Ordainers, dated at London 17th March 1309, that the Letters Patent of 16th March, See page 157, note 2., should not be brought into precedent to the King's Prejudice "ne en autre manere estre entendi ne clame forsq pprement de sa curtesie & sa franche volonte:" *Rot. Pat.* 5 *Ed. II. P.* 2. *m.* 17; The King's Letters Patent dated at York, March 8, appointing certain Persons to confer with the Ordainers as to amending the Ordinances: *Rot. Pat.* 6 *Ed. II. P.* 1. *m.* 20; The King's Letters, dated at Canterbury, Aug. 4. for summoning certain of the Ordainors to appear and treat on the amending of the Ordinances: *Rot. Claus.* 9 *Ed. II. m.* 15, *d*; the King's Writs to the Sheriffs, dated at Clipston, March 6, for publishing the Ordinances: *Rot. Claus.* 12 *Ed. II. m.* 22 *d*; the Confirmation of the Ordinances by the King in the Parliament of York that Year; and finally, *Rot. Stat.* 15 *Ed. II. m.* 31; the Act for repealing the Ordinances; *post, sub An.* 15 *Edw. II.*

In *MS. Cott. Claud. D. II. fo.* 266, 267, is an imperfect Entry of some Instruments relating to these Ordinances; a Leaf or more being wanting between 266 b. and 267.

On the Back of *Rot. Ord.* is the following Memorandum in two different Hand-writings of much later Date than the Roll.

"Md qd In Parliament tento apud Ebor a° 15 Ed. 2. ordinacões infra script revocat' & adnullat', ut patet in magno Rot. Statutor memb. 31."

On the Back of *Rot. Cant.* are entered 'Declarationes quorundam Articlorum Ordinacionū infra scriptarum.'—These consist of Suggestions for Alterations of the Ordinances in certain Particulars. The repealing Act 15 Ed. II, notices only the Ordinances as made and confirmed on the 5th October, 5 Ed. II.

On the Back of *Rot. Cant.* is also the following Entry of the ancient Form of the Coronation Oath in Latin and French; The Various Readings of the Latin Form are from the Printed Copy in Tottell's Magna Carta 1556: Those of the French are from an Entry on *Rot. Claus.* 1 *Ed. II. m.* 9, *d. in Cedula*, of the Words of the Oath taken by K. Edward II. at his Coronation.

Forma Juramenti Regis Angl' in Coronacōe sua;

Si Rex fuit frat° tali

[§ Archiepūs Cantuar', ad quē de jure & consuetudie Ecclie Canť, antiq[ua] [co]rob[o]rata, [Re]gem Anglie nu[n]c[upa]re & coronare, die coronacōis Regis, anteq[uam] Rex coronetur, faciet Regi Interrogacōes sub pi

§ Si leges & consuetudines, ab antiquis justis & Deo devotis Regib[us] [con]cessas & [a] [Re]gibus A[n]gl[or]um [ob]servandas [co]ncessas [ra]tificatas [pro] [vi]dem plebi concedere & servare [vobis:[2]] Et pūsertim leges et consuetudines [con]cessas [a] [com]unitate [regni] [a] [bo]no R[ege] Ed[ward] [cler]o [et] [pop]lo [ve]stris?

[Et respondeat Rex—Concedo & servare volo, & sacr[a]mento confirmare.]

§ Servabis Ecclie Dei, Cleroq; & Popło, pacem ex integro & concordiam Deo [in om]nib[us] [tu]is?

[Et respondeat Rex [4]]—Servabo.

§ Facies fieri in omnib; Judiciis tuis equam & rectam justiciam, & discrecōm, in misericordia & veritate, sēdm vires tuas?

[Et respondeat Rex [4]]—Faciam.

§ Concedis justas leges & consuetudines esse tenendas, & pmittis p te eas esse ptegendas, & ad honorem Dei corroborandas, quas Vulgus eleğit, sēdm vires tuas?

[Et respondeat Rex [4]]—Concedo & pmitto. ([5])

§ Forma Juramenti, si Rex non fuerit litteratus.

§ Sire, Voilez vous graunter & garder, & par vostre serment confermer, au poeple Dengleterre, les leys & les custumes a eux grauntees p les anxiens Rois Dengleterr̄ ([6]) dreiturels & devoutez a Dieu: Et nomement les leys & les custumes & les fraunchises grauntees au Clergye & au poeple p le glorious Rei seynt Edward ([7])?

[Et respondeat Rex [8]]—Jeo les graunt & [garderai & p ment confermerai.[9]]

§ Sire, garderez vo° a Dieu & a Seynt Esglise, & au Clergye, & au Poeple, pees & acord en Dieu entierement, solonc votre poer?

[Et respondeat Rex [8]]—Jeo les garderai.

§ Sire, frez vous faire en touz vos jugementz owele & dreyt justice, & descrecioun, en misericorde & vite ([10])?

[Et respondeat Rex [8]]—Jeo le frai.

§ Sire, grauntez vous a tenir & [promettez vous a defendre [11]] les leys & les custumes dreytureles, les queux la cōmunalte de votre Realme aura eslutz, & les [afforterez [12]] al honour de Dieu [solome [13]] vostre poer?

[Et respondeat Rex [8]]—Jeo les graunt & promet. ([14])

Factis pmissionib; confirmet Rex sacr[a]mento corpali, super altar̄ pstito, se omnia pdca esse servaturū.

In *MS. Harl.* 867, is the Form of this Oath in Latin and French; the former agreeing with the Printed Copy already referred to, and the latter with the Entry on *Rot. Claus.* 1 *Ed. II.* See also *Rot. Parl.* 1 *Hen. IV. nu.* 16, 17, the Form of the Oath in Latin, which omits the first Sentence of the Oath beginning "Si leges" and the Answer; but in other particulars agrees with the Printed Latin Copy.

The Form of the Coronation Oath in French, in the Old Abridgement of the Statutes, first printed about 1481, is as follows:

SACRAMENTUM REGIS.

Ceo est le serement q̄ le Roy jurra a son coronemēt; que il gardera & meinteynera les droites et les fraunchises de seynt esglise, grauntes auncienment des droitz roys christiens dēgliterre, et que il gardera toutz ses terres honours & dignitees droitturelx et franks del coron du roialme dengliterre en tout maner dentierte sans nul maner damenusemēt, et les droites disperges dilapides ou pdus de la coron̄, a sa pouoir reappeller en launcien estate, et que il gardera la peas de seynt esglise, & al people de bon acorde, et que il fac̄ fair̄ en toutz ses jugementz owel et droit justice ove discrecion et misericorde, et que il graunter̄ a tenur̄ les leyes et customes du royalme, et a sa pouoir lez face garder & affirmer q̄ les gentes de people aver̄ faitz et eslies, & les malveis leyes et customez de tout ostera et ferme peas et establie al people de son royalme en ceo gard̄ esgardera a son pouoir come dieu luy ayde.

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[1] Metropolitanus, vel Episcopus dominum Regem coronaturus, mediocri distinctoq; voce eum interroget; [2] voluerit

[3] Si autē his oībus assentire se velle promiserit, exponat ei Metropolitan° vel Episcopus de quibus jurabit, ita dicendo:

[4] Respondebit [5] Adjiciaturq; predictis interrogationibus, que justa fuerint. Pronunciatis omnibus confirmet se omnia esse servaturum, sacramento super altare protinus prestito, coram cunctis. &c.

[6] voz pdecessours [7] votre pdecessour [8] Respons̄ [9] promette.

[10] a vre poer [11] garder [12] defendrez & afforcerez

[13] a [14] *Explicit Rot. Cl.*

Anno 7° EDWARDI, II. A.D. 1313

*Ex Rot. Pat. 7 Edw. II. P. 1. m. 8.**

Qd nullus molestetet p morte Petri de Gavastoñ, &c.

LE Roy au Visconte Dēwik, Salutz. Sachent tuit, q̄ pur ꝺteines & covenables enchesons en nr̄e plement a Westmonster le Lundi ꝓchein apres la feste de Seint Edward le Confessour, cest asaver le quinzime jour de Octobr̄, lan de nr̄e regne septime, p'veu est & g'nte p nous, & p Ercevesq̄s, Evesq̄s, Abbes, Priours, Countes, Barons, & la Cōmunalte de nr̄e Roialme, illoeq̄s a nr̄e mandement assemblez, unyement assentuz, & accordez, q̄ nul de quel estat ou condicion qil soit, en temps avenir, ne soit appelez ne chalengez, por lacheson de la prise, la detenue, ne de la mort Pieres de Gavastoñ; ne pur mesmes la mort ne soit pris ne emprisonez, empeschez, molestez, ne grevez, nen Jugement menez par Nous, ne par autre a nr̄e suite, ne a suite dautri qui qil soit, en nr̄e Curt, ne nulle pt aillurs; et voloms q̄ ceo g'nt & concord soit ferm & estable, en touz ses poinz, & chescun deux soit tenuz & gardez a ꝑpetuete: e pur coe vous cōmandoms, q̄ coe g'nt & concord facez en vr̄e Counte crier, puplier, e tenir & fermement garder a ꝑpetuite, si come de sus est dit. Doñ a Westmonster le xvj. jour de Octobr̄.

¶ En mesme la manere est maunde a touz les Viscountes dengleꝛre.

¶ Et mande est as Justices du Bank, q̄ coe g'nt & concord facent en le Bank avauntdit lire, enrouler, & fermement garder a ꝑpetuite, sicome desus est dit.

¶ En mesme la manere mande est a Sire Roḡ le Brabazoun, & ses cōpaignouns Justices a tenir les ples le Roy devaunt lui mesmes, q̄ coe g'nt & concord en le Bank le Roy devaunt luy facent lire, enrouler, &c.

¶ En mesmes la Manere maunde est a Lieu Tenant, le Tresorer, & as Barons del Escheker, q̄ coe g'nt & concord facent lire e enrouler, en lescheker avantdit, &c.

THE King to the Sheriff of York, Greeting: Know All Men, that for certain and expedient Causes, in our Parliament at Westminster, the Monday next after the Feast of St. Edward the Confessor, that is to say, the fifteenth day of October in the Seventh Year of our Reign, It was Provided and granted by Us, and by the Archbishops, Bishops, Abbots, Priors, Earls, Barons, and the Commonalty of our Realm, there at our command assembled, with one accord assented and agreed; That no one of what Estate or Condition soever he be, in time to come be appealed nor challenged by reason of the taking, detaining, or Death of Piers de Gavaston; nor for the same Death be taken, imprisoned, hindered, molested, aggrieved, nor into judgment brought by Us, nor by any other at our Suit, nor at the Suit of any other whomsoever, in our Court nor elsewhere: and We will that this Grant and Concord be affirmed and established in all its points, and that each of them be holden and kept for ever: and therefore We do command You that this Grant and Concord you do cause in your County to be proclaimed, published, and holden and firmly kept for ever, as is aforesaid. Given at Westminster the Sixteenth day of October.

That no one be molested for the Death of Piers de Gavaston.

In the same manner It was commanded to all the Sheriffs of England.

And It was commanded to the Justices of the Bench, that this Grant and Concord they do cause in the Bench aforesaid to be read, enrolled, and firmly kept for ever, as is abovesaid.

In the same manner It was commanded to Sir Roger Brabazon and his Fellows, Justices for holding the Pleas of the King before himself, that this Grant and Concord in the King's Bench before him they do cause to be read and enrolled, &c.

In the same manner It was commanded to the Lieutenant, Treasurer, and Barons of the Exchequer, that this Grant and Concord they do cause to be read and enrolled in the Exchequer aforesaid.

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* In the Old Printed Copies this Article is intituled "Statutum ne quis occasionetur pro morte Petri de Gavestoñ." It begins "Edward par la grace de dieu Roy Dengliꝛ &c. a ses Justices du Banke salutz." In the Patent Roll of this Year 7 Ed. II. P. 1. *m.* 14. *in Cedula*, the Instrument is again entered, totidem verbis as in the Text, with the following Note in the Margin: "De publicacōe ꝑdonaꝛ mortis Petⁱ de Gavaſt." On the same Membrane of the Roll, is the following Entry:

Qd nullus impⁱsonetᵉ &c p morte Petri de Gavastoñ, &c.

Le Roy a tuz ceux, qui cestes ſres ꝛront, ou orront, salutz. Sachetz, qen nr̄e plement comence a Westmostier, le dimeinch ꝓchein aꝑs la seint Matheu la Postle, lan de nr̄e Regne septisme, por ꝺteines & covenables enchesons, pᵛveu est & g'nte p noˢ & p - - - Ercevesq̄s, Evesq̄s, Abbes, Priours, Contes, & Barons, & par tote la Cōmunalte de nr̄e Roiaume, illoeq̄s a nr̄e maundement assembletz, uniement assentuz, & acordetz; q̄ nul, de quel estat ou condicion quil soit, por la pⁱse, ne larest des joiaux, Chivaux, ou autres biens, & chateux, queux qil feussent, & a qi qil feussent, noz, ou dautri, a Noef Chastel sᵗ Tyne, ou nulle pt aillors p encheson de Piers de Gavastoñ, ou du fait qe est avenuz de li, ne por entrees en Villes, ne en Chasteux, ne por seges des Chasteux, ne por portement darmes, ne por pⁱse des psones, ne por alliaunces queles qeles soient, ou en autre maṁe, quele qele soit, q̄ touche ou eit regarde a la psone ou au fait q̄est avenu du dit Piers, ne soient appelletz, pris ne arrestez, enpⁱsonez, molestez, ne grevetz, ne en jugement menetz p noˢ, ne p autre, a nr̄e suite, ne a suite dautri, en nr̄e Curt, ne nulle pt aillors. E aussit q̄ monſ Griffith de la Pole, monſ Fouk Lestraunge, leur mesnengs, alliez & aerdantz, por le Sege du Chastel de la Pole, ne por occison des gentz, ne por chevauches qil fesoient a force & armes en les ꝛres de Powys, de la Pole, & aillors, en celles pties, ne por prise des bestes, ne dautre biens, queux qil feussent, & a qi qil feussēt, ne por autres ꝯhoses illoeq̄s faites contre nr̄e pees, ne soient appelletz, pris, ne arestez, empⁱsonez, molestez, ne grevetz, nen jugement menetz, p noˢ, ne p autre a nr̄e suite, ne a suite dautri, en nr̄e Curt, ne nulle pt aillors. E aussint q̄ monſ Johan de Cherletoñ, qi tint le dit Chastel al temps du dit sege, ses mesnengs, allietz, & aerdantz, pr chevauchees qil fesoient en les ꝛres & pties avantdites, ne por occison des gentz, ne por pⁱse des bestes, ne dautre biens, queux qil feussent, ou a qi qil feussent, ne por autres choses illoeq̄s faites contre nr̄e pees, si cōme avant est dit, ne soient appelletz, pⁱs, ne arestez, empⁱsonez, molestez, ne grevez, ne en jugement menetz, p noˢ, ne p autre, a nr̄e suite, ne a suite dautri, en nr̄e Curt, ne nulle pt aillors. Et volons q̄ les g'ntz & acords susditz soient ferms & estables en toutz leur poinz, & chescun de eux soit tenuz & gardez a ꝑpetuite. En tesmoignaunce de queu chose noˢ avons fait faire cestes nos ſres ovtes. Don a Weymostier le sysme jour de Novr̄.

Triplicat'.

That none be molested for the Return of Piers de Gavaston.

THE King to All who these Letters shall see or hear, Greeting. Know Ye that in our Parliament at Westminster, the Sunday next after the Feast of St. Matthew the Apostle, in the Seventh year of our Reign, for certain and expedient Causes, It was provided and granted by Us, and by the Archbishops, Bishops, Abbots, Priors, Earls, and Barons, and all the Commonalty of our Realm, there being at our command, with one accord assented and agreed; That no one, of what estate or condition soever he be, in any time to come be challenged, taken, nor imprisoned, hindered, molested, nor aggrieved, nor into judgement brought by Us, nor by any other at our Suit, nor at the Suit of any other whomsoever, in our Court nor elsewhere, by reason of the return of Monsieur Piers de Gavaston into England, nor of any Aid, Maintenance, Adherance, nor of any Counsel nor Receipt of him, nor Alliance made with him, or for him, by writing or otherwise, nor by reason of tarrying in his Company or Service in any time passed heretofore. And We will that this Grant and Accord be affirmed and established in all its Points, and that each of them be holden and kept for ever. In Witness whereof, &c. Given as above.

Ex Rot. Pat. 7 Ed. II. P. 1. m. 14. in Cedula.

De eodem negotio.

LE Roy, a tuz ceux, qi cestes lr̃es ꝓront, ou orront Salutz. Sachetz, qen nr̃e plement, cõmence a Westmoistier le dimeynch ꝓscl'in ap̃s la feste de Seint Matheu le Apostle, en lan de nr̃e regne septisme, p ꝯeines & covenables enchesons, p'veu est & g'nte p no⁹, & p - - Erceveqs, Evesqs, Abbes, Priours, Contes & Barons, & toze la comunalte de nr̃e roiaume, illoeqs a nr̃e maundement, unlement assentuz & acorde; q̃ nul de quel estat ou condicion qil soit, en nul temps avenir, suir chalange, ps, ne empsonetz, empeschez, molestez, ne grevez, non jugement menez, p no⁹, ne p autre a nre oñte, ne a suite dautri, qi qil soit, en nr̃e Court ne nulle pt aillors, p encheson du revenir de mons Piers de Gavastoñ en Engletr̃e, ne de ayde, meintenaunce, aerdaunce, ne de conseil, ne de recette de li, ne dalliaunce fait a li, ou por li, p escrit ou autrement, ne p' encheson de demorer en sa compaignie, ne en svice, en nul temps passe cea en arrieres. E volons q̃ ce g'nt & acord soit ferm & estable en touz sez pointz, & chescun de eux soit tenu & garde a ppetuite. En tesmoigñ, &c. Doñ ut sup'.

* This follows on the Patent Roll immediately after the Article given in the Note in page 169. In the Old Printed Copies this Article is intituled "Ne quis occasionetur pro reditu Petri de Gavestoñ." It begins "Edwarde par la grace de dieu &c. as toutz ceux" and ends "Done a Westm̃ le vii. jour de Novembre lan de nostre reigne septisme."

Statutū sup' Aportam'to Armor'.*

A STATUTE FORBIDDING BEARING OF ARMOUR.

The King forbids the coming armed to Parliament, &c.

THE King [to the Justices of his Bench,[1]] sendeth Greeting. Whereas of late before certain Persons deputed to treat upon sundry Debates had between Us and certain great Men of our Realm, amongst other things it was accorded, That in our next Parliament after, Provision [shall[2]] be made by Us, and the common assent of the Prelates, Earls, and Barons, that in all Parliaments, [Treatises,[3]] and other Assemblies, which should be made in the Realm of England [for ever,[4]] that every Man shall come without all Force and (5) Armour, well and peaceably, to the Honour of Us, and the Peace of Us and our Realm; and now in our [next[6]] Parliament at Westminster, after the said Treatise, the Prelates, Earls, Barons, and the Commonalty of our Realm, there assembled [to take[7]] Advice of this Business, have said, that to Us it belongeth, and our part (8) is, through our Royal Seigniory, straitly to defend [Force[9]] of Armour, and all other Force against our Peace, at all Times when it shall please Us, and to punish them which shall do contrary, according to [our[10]] Laws and Usages of our Realm; and (11) hereunto they are bound to aid Us as their Sovereign Lord at all Seasons, when need shall be: We command you, that ye cause these Things to be read afore you in the said [Bench,[11]] and there to be enrolled. Given at Westminster, the thirtieth day of October.

And It was commanded to Sir Roger Brabazon and his Fellows, Justices assigned to hold the King's Pleas before him, that these things they do cause to be read before them, and there to be enrolled.

And It was commanded to the Justices of the Bench, that these things they do cause to be read before them in the said Bench, and there to be enrolled.

[1] *to the Lieutenant, the Treasurer and the Barons of the Exchequer,*
[2] should
[3] Treaties
[4] *at all times,*
[5] without
[6] Old Translations omit.
[7] *taking*
[8] it
[9] wearing
[10] the
[11] *that* *Exchequer*

Ex Rot. Pat. 7 Ed. II. P. 1. m. 14. in Cedula.

LE Roy, au Lieutenant, le Tresorier, & as Barons del Eschekier, Salutz. Come nadguaires devant ꝯeines psones deputees a treter s' ascun debatz, euz, entre no⁹ & ascun de g'ntz de nr̃e Roiaume, entre autres choses feust acordez, q̃ en nr̃e pchein plement ap̃s, p'veaunce se feist p no⁹ & le cõmun assentement des Prelatz, Contes, & Barons, q̃ en touz plementz, tretementz, & autres assembletz, q̃ se ferront en roiaume Dengletr̃e a tuz jours, q̃ home veigne santz tote force & saunz armes, bien & peisiblement al honur de no⁹, & a la pays de no⁹ & de nr̃e roiaume; et ja en nr̃e [pchein[1]] plement a Westm̃ ap̃s le ditz tretiz, les Prelatz, Contes, Barons, & la Cõmunalte de nr̃e Roiaume illoeqs assemblez, eu avisement de ceste bosoigne, no⁹ aient dit q̃ a no⁹ apent, & devons p nr̃e roiale Seignurie, defendre [portement[2]] darmes, & tote autre force contre nr̃e pais, a totes les foiz q̃ nous plerra, & punir ceux q̃ contre vendront, selonc les leys & les usages de nr̃e roiaume; E q̃ a ce sont il tenuz de no⁹ aider cõme leur bon Seign', totes les foiz q̃ mester ꝛra; Vo⁹ mandons q̃ cestes choses facetz lire devant vo⁹ en le dit Eschekier, & illoeqs enrouler. Doñ a Westm̃ le xxx. jour Doctobr̃.

¶ Et maunde est a Sire Rogier le Brabanzon & ses compaignons, Justices a les pletz le Roy devant lui tenir assignetz, q̃ cestes choses facent lire devant eux, & illoqs enrouler.

¶ Et maunde est as Justices du Bank, q̃ cestes choses facent lire devant eux, en dit Bank, & illoeqs enrouler.

[1] Old Printed Copies omit.
[2] fortement *Old Printed Copies.*

* This Title is in the Margin of the Roll. In the Old Printed Copies this is intituled "Statutum de Defensione portandi Arma;" and is ascribed to the Seventh Year of King Edward I. The English Title is from the Old Translations.

Anno 9° EDWARDI, II. A.D. 1315-16.

Articuli Cleri.

ARTICLES FOR THE CLERGY.*

Ex magno Rot. Stat. in Turr. Lond. m. 34. d.

De divsis libtatibz clero concessis.

R. Oīibz ad quos, &c. Saltm. Sciatis qđ cum dudum tempibz ꝑgenitoꝝ nr̄oꝝ quondam Regū Angl, in divsis ꝑliamentis suis, et similiꝫ postq[a]m regni nr̄i gubernacula suscepimꝰ in ꝑliamentis nr̄is, ꝑ ꝓlatos & clerū regni nr̄i, plures articuli continentes g[a]vamina aliqua ecclie Anglicane & ip̄is ꝓlatis & clero illata, ut in eisdem asserebat', porrecti fuissent, & cū instancia supplicatū, ut inde apponꝫetur remediū oportunū: Ac nup in ꝑliamento nr̄o apud Lincolī anno regni nr̄i nono, articulos subscriptos, & quasdam responsiones ad aliquos eoꝝ prius fc̄as, corā consilio nr̄o recitari, ac quasdam responsiones corrigi, & ceꝫis articulis subsc'ptis ꝑ nos & dc̄m consiliū nr̄m fecerimꝰ responderi; quoꝝ quidē articuloꝝ & responsionū tenores subsequunt' in hunc modū.

In p'mis laici impetrant ꝑhibic̄ones in gen̄e sup decimis, obvenc̄oibz, oblacionibz, mortuariis, redemptionibz penitenciaꝝ, violenta manuū injecc̄oe in clicum vel conv̄sum, & in causis diffamac̄oibz, in quibz agit' ad penam canonicā imponend: Rex ad istum articulū respondet, qđ in decimis, oblac̄oibz, obvenc̄oibz, mortuariis, q[a]ndo [sup'] istis nōibz ꝓponunt', ꝑhibic̄oi regie nō est locus, eciam si ꝓpt̄ detenc̄oem istoꝝ diuturnā ad estimac̄oem eaꝝdem pecuniariā veniat'. Set si clicus, vel religiosus, decimas suas in orreo suo congregatas, vel alibi existentes, vendiderit alicui ꝑ pecunia, si petat' pecunia corā Judice ecclastico, locū ħet ꝑhibicio, quia ꝑ vendic̄oem res sp̄uales fiunt tempales, & t[a]nseunt decime in catalla.

Item si sit contencio de jure decimaꝝ, originem ħens ex jure p̄onatus, & eaꝝdem decimaꝝ q[a]ntitas ascendat ad quartā ꝑtem bonoꝝ ecclie, locum ħet regia ꝑhibicio, si hec causa coram eccliastico Judice ventilet'. Item si ꝓlatus imponat penam pecuniariā alicui ꝑ peccato, & repetat illam, regia ꝑhibicio locum ħet; v̄mptamen si ꝓlati imponant penitencias corpales, & sic puniti velint hujusmodi penitencias ꝑ pecuniam [sponte[2]] redim̄e, nō ħet locum regia ꝑhibicio, si corā ꝓlatis pecunia ab eis exigat'.

Insup si aliquis violentas manus injec̄it in clicum. ꝑ violata pace debet emenda fieri corā Rege, ꝑ excōicac̄oe vero corā ꝓlato, ut imponat' penitencia corporalis; quā si reus velit sponte ꝑ pecuniā redim̄e dandā ꝓlato vel leso, potest repeti corā ꝓlato, nec in talibz regia ꝑhibicio locum ħet.

In diffamac̄oibz ecliā corrigant ꝓlati supradc̄o modo, regia ꝑhibic̄oe nō obstante: (3)

[1] sub *Rot. Pat.*

[2] Interlined on the Statute Roll; *Rot. Pat.* inserts.

[3] { The Old Printed Copies here add as follows.
primo injungendo penam corporalem quam si reus velit redimere libere percipiat prelatus pecuniam licet regia prohibicio porrigatur.—*Rot. Pat.* agrees with the Text.

STATUTE THE FIRST.

Of divers Liberties granted to the Clergy.

THE King to All to whom, &c. sendeth, Greeting. Understand Ye, That whereas of late (1) Times of our Progenitors sometimes Kings of England, in divers their Parliaments, and likewise after that We had undertaken the Governance of the Realm, in our Parliaments, many Articles containing divers Grievances, committed (2) against the Church of England, the Prelates and Clergy, were propounded by the Prelates and Clerks of our Realm; and further, great Instance was made that convenient Remedy might be provided therein: And of late in our Parliament holden at Lincoln, the Ninth year of our Reign, We caused the Articles underwritten, with certain Answers made to some of them heretofore, to be rehearsed before our Council, and made certain Answers to be corrected; and to the Residue of the Articles underwritten, Answers were made by Us and our Council; of which said Articles, with the Answers of the same, the Tenors here ensue.

I. No Prohibition in Suits for Tythes, &c; unless they be sold:

FIRST, Whereas Laymen do purchase Prohibitions generally upon Tythes, Obventions, Oblations, Mortuaries, Redemption of Penance, violent laying Hands on Clerks or [Converts,[3]] and in Cases of Defamation, in which Cases [Spiritual Penance ought to be enjoined: [4]] the King doth answer to this Article, That in Tythes, Oblations, Obventions, Mortuaries, when they are propounded under these Names, the King's Prohibition shall hold no place, although for the long withholding of the same, [the Money may be esteemed at a Sum certain.[5]] But if a Clerk or a Religious Man do sell his Tythes being gathered in his Barn, or otherwise, to any Man for Money, if the Money be demanded before a Spiritual Judge, the King's Prohibition shall lie; for, by the Sale, the Spiritual Goods are made Temporal, and the Tythes turned into Chattels.

II. or arise from the Right of Patronage.

ALSO if Debate do arise upon the Right of Tythes, having his Original from the Right of the Patronage, and the Quantity of the same Tythes do come unto the fourth Part of the Goods of the Church, the King's Prohibition shall hold Place, if the Cause come before a Judge Spiritual. Also if a Prelate enjoin a Penance Pecuniary to a Man for his Offence, and it be demanded, the King's Prohibition shall hold Place; but if Prelates enjoin a Penance Corporal, and they which be so punished will redeem upon their own Accord such Penances by Money, if (6) Money be demanded before a Judge Spiritual, the King's Prohibition shall hold no Place.

Penance pecuniary and corporal.

III. Laying Hands upon a Clerk.

MOREOVER, if any lay violent Hands on a Clerk, the Amends for the Peace broken shall be before the King, and for the Excommunication before a Prelate, that Penance Corporal may be enjoined; which if the Offender will redeem, of his own good Will, by giving Money to the Prelate, or to the Party grieved, it [shall[7]] be required before the Prelate, and the King's Prohibition shall not lie.

IV. Defamation.

IN Defamations also Prelates shall correct in Manner abovesaid, the King's Prohibition notwithstanding: first injoyning a Penance Corporal, which if the Offender will redeem, the Prelate may freely receive the Money, though the King's Prohibition be shewed.

[1] *in the* [2] *as it was therein asserted* [3] Lay-brethren
[4] *proceeding is had, that Spiritual Penance may be imposed;*
[5] they come to a pecuniary Estimation, and Sentence for the fame. [6] the [7] may

* These Titles are from the Old Printed Copies and Translations: The Various Readings in the Notes marked *Rot. Pat.* are from an Entry of this Statute on the Patent Roll, 10 *Edw.* II. P. 2 *m.* 34.

V. Prohibition shall not lie upon Demand of Tythe for a new Mill.

ALSO if any do erect in his Ground a Mill of new, and after the Parson of the same Place demandeth Tythe for the same, the King's Prohibition doth issue in this Form: [Quia de tali molendino hactenus decimæ non fuerunt solutæ, prohibem⁹, &c. & sententiam excommunicationis, si quam hac occasione promulgaveritis, revocetis omnino.[1]] The Answer. In such case the King's Prohibition was never granted by the King's Assent, [nor never shall, which[2]] hath decreed that it shall not hereafter lie in such Cases.

VI. Jurisdiction of the King's Court jointly with the Spiritual.

ALSO if any Cause or Matter, the Knowledge whereof belongeth to a Court Spiritual, and shall be definitively determined before a Spiritual Judge, [and doth pass[3]] into a Judgement, [and shall not be suspended[4]] by an Appeal; and after, if upon the same Thing a Question is moved before a Temporal Judge between the same Parties, and it be proved by Witness or Instruments, such an Exception is not to be admitted in a Temporal Court. The Answer. When any one Case ([5]) is debated before Judges Spiritual [or[6]] Temporal, as above appeareth upon the Case of laying violent Hands on a Clerk, [it is thought,[7]] that notwithstanding the Spiritual Judgement, the King's Court shall discuss the same Matter [as the Party shall think expedient for himself.[8]]

VII. The King's Letter to discharge an Excommunicate, shall not issue.

ALSO the King's Letter ([9]) directed unto Ordinaries, that have wrapped those that be in Subjection unto them in the Sentence of Excommunication, that they should assoil them by a certain day, or else that they do appear, and shew wherefore they have excommunicated them: The Answer. The King decreeth, That hereafter no such Letters shall be suffered to go forth, but in case where it is found that the King's Liberty is prejudiced by the Excommunication.

VIII. Clerks in the King's Service, not bound to Residence.

ALSO Barons of the King's Exchequer claiming by their Privilege, that they ought to make answer to no Complainant out of the same Place, extend the same Privilege unto Clerks abiding there, called to Orders or unto Residence, and inhibit Ordinaries that by no Means, or for any Cause, so long as they be in the Exchequer, or in the King's Service, they shall not call them to Judgement. The Answer. It pleaseth our Lord the King, That such Clerks as attend in his Service, if they offend, shall be correct by their Ordinaries like as other; but so long as they are occupied about the Exchequer, they shall not be bound to keep Residence in their Churches. [This is added[10]] of new by the King's Council. The King and his Ancestors since Time out of Mind have used, That Clerks, which are employed in his Service, during such Time as they are in Service, shall not be compelled to keep Residence at their Benefices; and such Things as be thought necessary for the King and the Commonwealth, ought not to be said to be prejudicial to the Liberty of the Church.

IX. Distresses on the Clergy shall not be taken in the Highways, nor in the ancient Fees of the Church.

ALSO the King's Officers, as Sheriffs and other, do enter into the Fees of the Church to take Distresses, and sometime they take the Parson's Beasts in the King's Highway, where they have nothing but the Land belonging to the Church. The Answer. The King's Pleasure is, That from henceforth such Distresses shall neither be taken in the King's Highway, nor in the Fees wherewith Churches in Times past have been indowed; nevertheless he willeth Distresses to be taken in Possessions of the Church newly purchased by Ecclesiastical Persons.

X. ALSO where some flying unto the Church, abjure the Realm, according to the Custom of the Realm, and Lay-men or their Enemies do pursue them, and pluck them from the King's Highway, and they are hanged or headed; and whilst they be in the Church, are kept [in the Church-yard with armed Men,[11]] and sometime in the Church, so straitly, that they cannot depart from the hallowed Ground to empty their Belly, and cannot be suffered to have Necessaries brought unto them for their Living:

[1] *Whereas, of such a Mill Tythes have not been hitherto paid; We do prohibit, &c. and the Sentence of Excommunication, if any on this Occasion ye have published, ye shall wholly revoke.*
[2] *who also* [3] so that it pass [4] nor was not in suspense
[5] *upon different grounds* [6] and [7] *they say*
[8] *according as it may seem expedient to that Court.*
[9] is used to be [10] Here is *thus* added.
[11] *by arm'd men, within the Church-yard,*

Item si aliquis in fundo suo molendinū erexit de novo, & postea a Rectore loci exigat[r] decima de eodem, exhibet[r] ꝓhibicio regia sub hac forma; Quia de molendino tali hactenus decime nō fuerunt solute, ꝓhibem⁹ &c. et sententiā excōicacōis si quam hac occone ꝓmulgavitis revocetis omīo. Responsio. In tali casu nunq[a] exivit ꝓhibicio de p[i]ncipis voluntate, qui & decernit talem ꝓpetuo nō exire.

Item si aliqua causa vel negociū, cujus cognicio spectat ad forū ecclīasticū, & coram ecclīastico Judice fuit sententialit⁹ ꝺminata, & t[a]nsierit in rem judicatam, nec p appellacōem fuit suspensa, et postmodū corā judice seculari sup eadē re int⁹ easdem ꝑsonas questio moveat[r], & ꝓbet[r] p testes vel instrumenta, talis exceꝑcio in foro seculari nū admittet[r]. Responsio. Quando eadem causa, diꝺsis racionibꝫ, corā Judicibꝫ ecclīasticis & secularibꝫ ventilat[r], ut sup[a] ꝓpatet de injeccōe violenta manuū in clicum, dicunt qd nō obstante ecclīastico judicio, Cuī Regis ipm tractat negociū ut sibi expedire videt[r], ecclīastico judicio nō obstante.

Item litt⁹a regia ordinariis dirigit[r], qui aliquos suos subditos excōicacionis vinculo innodarunt, qd eos absolvant infra certū diem, Alioquin qd compeant responsuri quare eos excōicaverunt. Responsio. Rex decꝛnit qd talis litt⁹a numq[a] exire imposꝛum ꝓmittat[r], nisi in casu in quo posset inveniri ledi p excōicacōem regiam lībtatem.

Item Barones de Sc[a]cio dīi Reg̃, vendicantes sibi ex p[r]vilegio qd nō debent ext[a] illum locū conquerenti cuiq[a]m respondere, extendunt illud privilegiū ad clicos cōmorantes ibidem, vocatos ad ordines seu ad residenciam, et diocesanis inhibent ne aliquo modo, aliq[a]ve ex causa, dū sunt in Sc[a]cio & in ꝰvicio dīi Regis, trahant ad judiciū quoquo modo. Responsio. Placet dīo Regi, ut clici suis obsequiis intendentes, si delinq[a]nt, p ordinarios ut ceꝛi corrigant[r]; set tempe quo occupant[r] circa Sc[a]cm ad residenciam in suis faciend ecclīis nō tenent[r]. Hic addit[r] sic de novo, p consiliū dīi Regis. Rex & antecessores sui, a tempe cuj⁹ cont[a]rii memoria nō existit, usi sunt qd clici suis immorantes [obsequiis, dū obsequiis illis intendint, ad residenciā in suis ꝺficiis faciend minime cōpellant[r]; nec debet dici tendere in ꝑjudiciū ecclīastice lībtatis quod ꝑ Rege[1]] & re publica necessariū invenit[r].

Item Ministri dīi Regis, ut Vicecomites & alii, ingrediunt[r] feodū ecclie ad disticcōes faciend, & aliq[a]ndo capiunt animalia Rectoꝝ in via regia, q[a]ndo nō ꝺent nisi ꝺrā ptinentē ad ecclīam. Responsio. Placet dīo Regi ne deceꝛo disticcōes fiant hujꝰmodi, nec in via regia, nec in feodis, quibꝫ olim ecclie sunt dotate; vult tamen disticcōes fieri in possessionibꝫ de novo a ꝑsonis ecclīasticis adquisitis.

Item q[a]ndoq, aliqui confugientes ad ecclīam abjurant ꝺram, scdm regni consuetudinē & ꝑsequnt[r] laici eos vel inimici eoꝝ, & a publica strata abstrahunt[r] & suspendunt[r], vel statim decapitant[r]; & dū sunt in ecclia custodiunt[r] p armatos infra Cimiꝺium, & q[a]ndoq, infra ecclīam, ita arte qd nō possunt exire locum sacrū causa supflui ponderis deponendi, nec ꝑmittit[r] eis necessaria victui ministrari:

[1] Interlined on the Roll; *Rot. Pat.* inserts.

Responsio. Qui ꝥram abjurarunt, dū sunt in strata publica sunt in pace Regis; nec debent ab aliquo molestari; et dū sunt in ecclia, Custodes eoꝝ nō debent morari infra Cimiꝥium, nisi necessitas vel evasionis ꝑiculū hoc requirat. Nec arcentᵘ confugi dū sunt in ecclia, quin possint ħere vite necessaria, & exire liꝫe ꝑ obceno pondere deponendo. Placet eciā dño Regi ut latrones appellatores, qⁿdocūq, volūnt, possint sacꝺotibꝫ sua facinora confiteri; set caveant confessores ne erronee hujusmodi appellatores informent.

Item petitᵘ qđ dñs Rex & regni Magnates, nō oħent domos religiosas, vel ecclıasticas ꝑsonas, ꝑ Corrodiis, pensionibꝫ, vel ꝑhendinacōibꝫ faciend in domibꝫ religiosis & aliis locis ecclıasticis, carectis equis sibi mittend, cum ꝑ hoc ꝑdce domus depaupentᵘ, cultusq, divinus in hac pte diminuatᵘ, et ꝑꝓ hujᵒmodi onera compelluntᵘ sepissime ꝑsbi ̄ri, & alii ministri ecclıastici, divinis officiis deputati, a locis recedere supᵃdcis. Responsio. Placet dño Regi qđ sup cōtentis in peticōe decꝛo indebite nō oħentᵘ. Et si ꝑ magnates aut alios contᵃ fiat, ħeant inde remediū juxta formā statutoꝝ, tempe dñi E. Regis, pris Regis nūc, editoꝝ. Et fiat consimile remediū de Corrodiis & pensionibꝫ ꝑ coherc̄oem exactis, de quibꝫ nō fit mencio in statutis.

Item si aliqui de tenura dñi Regis, vocati corā ordinariis extᵃ parochiam in qua degunt, si ꝓꝓ suā manifestam contumaciā excōicentᵘ, ac post quadraginta dies ꝑ eoꝝ capc̄oe scribatᵘ, ꝑtendunt se pᵗvilegiatos, qđ extᵃ villam seu ꝑochiam suam nō debent vocari & sic denegatᵘ ħre regiū ꝑ capc̄oe eoꝝdem. Responsio. Nunqᵃm fuit negatū nec negabitᵘ in futurū.

Item petitᵘ qđ ꝑsone ecclıastice, quas dñs Rex ad beneficia ꝑsentat ecclıastica, si Eꝑus eas nō admittat, utputa ꝓꝓ defectū sciencie, vel aliā causam rōnabilem, nō subeant examinac̄oem laicaꝝ ꝑsonaꝝ in casibꝫ antedcis, ꝑut hiis tempibꝫ attemptatᵘ de fc̄o, contᵃ canōicas sancciones; set adeant Judicē ecclıasticū, ad quē de jure ꝑtinet, ꝑ remedio ꝑut justū fūit consequendo. Responsio. De idoneitate ꝑsone, ꝑsentate ad beneficiū ecclıasticū, ꝑtinet examinacio ad Judicem ecclıasticū; et ita est haćtenᵒ usitatū & fiet in futurū.

Item si vacet aliqua dignitas, ubi eleccio est facienda, petitᵘ qđ electores liꝫe possint eligē, absq, incussione timoris a quacūq, potestate seculari, & qđ cessent ꝑces & opꝑssiones in hac ꝑte. Responsio. Fiant liꝫe juxta formā statutoꝝ & ordinac̄onum.

Item licet cḷicus corā seculari Judice judicari nō debeat, nec aliquid contᵃ ipm fieri, ꝑ quod ad ꝑiculū mortis vel mutilac̄oem menbri valeat ꝓveniri, seculares tamen Judices cḷicos ad eccḷiam confugientes, & reatus suos forte confitentes, faciunt abjurare regnum, & eoꝝ abjurac̄oes admittunt ex illa causa, qᵃmqᵏ eoꝝ Judices sup hiis nō existant, sicq, datᵘ laicis indirecte potestas hujusmodi cḷicos trucidandi, si ipos post hujusmodi abjurac̄oem in regno contigit inveniri; sup quo petunt ꝑlati & clerus tale remediū adhiberi ut immunitas eccḷie, & ecclıasticaꝝ ꝑsonaꝝ, consꝛvetᵘ illesa. Responsio. Cḷicus ꝑ felonia fugiens ad eccḷiam, ꝑ immunitate ecclıastica optinend, si asserit se esse cḷicum, regnū nō compellatᵘ abjurare; set legi regni se reddens, gaudebit ecclıastica liꝫtate, juxta laudabilem consuetudinē ħegni haćtenᵒ usitatam.

The Answer. They that abjure the Realm so long as they be in the Common Way, shall be in the King's Peace, nor ought to be disturbed of any Man; and when they be in the Church, their Keepers ought not to abide in the Church-yard, except Necessity or Peril of Escape do require so. And so long as they be in the Church, [they shall not be compelled to flee away, but they shall have [2]] Necessaries for their Living, and may go forth to empty their Belly. And the King's Pleasure is, that Thieves [or [3]] Appellors whensoever they will, may confess their Offences unto Priests; but let the Confessors beware that they do not erroneously inform such Appellors.

Protection of Persons fleeing unto the Church and abjuring the Realm.

XI. Religious Houses not to be unduly charged with Corodies, Pensions, &c.

ALSO It is desired that our Lord the King, and the great Men of the Realm do not charge Religious Houses, or Spiritual Persons, for Corodies, Pensions, or sojourning in Religious Houses, and other Places of the Church, or with taking up Horse or Carts, whereby such Houses are impoverished, and God's Service diminished, and by reason of such charges, Priests and other Ministers of the Church deputed unto divine Service, are oftentimes compelled to depart from the Places aforesaid. The Answer. The King's Pleasure is, that upon the contents in their Petition, from henceforth they shall not be unduly charged. And if the contrary be done by great Men or other, they shall have remedy after the form of the Statutes made in the Time of King Edward, Father to the King that now is. And like Remedy shall be done for Corodies and Pensions exacted by compulsion, whereof no mention is made in the Statutes.

XII. The King's Tenant excommunicate not privileged.

ALSO if any of the King's Tenure be called before their Ordinaries out of the Parish where they [continue, [4]] if they be excommunicate for their manifest Contumacy, and after forty days a Writ goeth out to take them, they pretend their privilege, that they ought not to be cited out of the Town and Parish where their dwelling is; and so the King's Writ that went out for to take them is denied. The Answer. It was never yet denied, nor shall be hereafter.

XIII. Examination of a Parson presented belongeth to a Spiritual Judge.

ALSO It is desired that Spiritual Persons, whom our Lord the King doth present unto Benefices of the Church, if the Bishop will not admit them, either for Lack of Learning, or for other cause reasonable, may not be under the Examination of Lay Persons in the Cases aforesaid, as it is now attempted, contrary to the Decrees Canonical, but that they may sue unto a Spiritual Judge, ([5]) for Remedy, as right shall require. The Answer. Of the ability of a Parson presented unto a Benefice of the Church the Examination belongeth to a Spiritual Judge; and so it hath been used heretofore, and shall be hereafter.

XIV. Free Election to Dignities of the Church.

ALSO if any Dignity be vacant, where Election is to be made, it is moved that the Electors may freely make their Election without fear of any Power Temporal, and that all Prayers and Oppressions shall in this Behalf cease. The Answer. They shall be made free according to the form of Statutes and Ordinances.

XV. A Clerk shall not be compelled to abjure.

MOREOVER, though a Clerk ought not to be judged before a Temporal Judge, nor any thing may be done against him that concerneth Life or Member; nevertheless Temporal Judges cause that Clerks fleeing unto the Church, and paradventure confessing their Offences, do abjure the Realm, and for the same cause admit their Abjuration, although hereupon they cannot be their Judges, and so Power is wrongfully given to Lay Persons to put to death such Clerks, if such Persons chance to be found within the Realm after their Abjuration; the Prelates and Clergy desire such Remedy to be provided herein, that the Immunity or Privilege of the Church and Spiritual Persons may be saved and unbroken. The Answer. A Clerk fleeing to the Church for Felony, to obtain the Privilege of the Church, if he affirm himself to be a Clerk, he shall not be compelled to abjure the Realm; but yielding himself to the Law of the Realm, shall enjoy the Privilege of the Church, according to the laudable Custom of the Realm heretofore used.

[2] they shall not be so straightened, but that they may have
[3] *being* [4] dwell [5] *to whom it properly belongeth,*

XVI. The Privilege of the Church shall not be denied to a Clerk becoming an Approver.

ALSO, Notwithſtanding that a Confeſſion made before him that is not lawful Judge [thereof,[1]] is not ſufficient whereon Proceſs may be awarded, or Sentence given; yet ſome Temporal Judges, [though they have been inſtantly deſired thereto, do not deliver to their Ordinaries, according to the Premiſſes, ſuch Clerks as confeſs before them their heinous offences, as Theft, Robbery, and Murther, but admit their accuſation, which commonly they call an Appeal, albeit to this reſpect they be not of their Court, nor can be judged[2]] or condemned before them ([3]) upon their own Confeſſion, without breaking of the Church's Privilege: The Anſwer. The Privilege of the Church, [being demanded in due form by the Ordinary, ſhall not be denied unto the Appealour, as to a Clerk.[4]]

WE, Deſiring to provide for the ſtate of Holy Church of England, and for the Tranquillity and Quiet of the Prelates and Clergy aforeſaid, as far forth as We may lawfully do, to the Honour of God, and emendation of the Church, Prelates, and Clergy of the ſame; ratifying, confirming, and approving all and every of the [Articles aforeſaid, with all and every of the Anſwers made and[5]] contained in the ſame, do [grant[6]] and command them to be kept firmly, and obſerved for ever: Willing and granting for Us and our Heirs, that the foreſaid Prelates and Clergy, and their Succeſſors, ſhall [uſe, execute, and practiſe[7]] for ever the Juriſdiction of the Church in the Premiſes, after the Tenour of the Anſwers aforeſaid, without quarrel, inquieting, or vexation of Us or of our Heirs, or any of our Officers whatſoever they be. T. R. at York, the xxiv. day of November, in the tenth year of the Reign of King Edward, the ſon of King Edward. ([8])

[1] *of the perſon confeſſing,*
[2] *with reſpect to Clerks who in this Matter are not ſubject to their Juriſdiction, but confeſſing before them their heinous Offences, as Thefts, Robberies, or Murders, do admit them to that Accuſation againſt others, which commonly they call an Appeal, and do not after the Premiſes deliver ſuch Clerks ſo confeſſing, accuſing, or making Appeal, to their Prelates, although they be thereto ſufficiently required, albeit they cannot be judged*
[3] *even*
[4] *ſhall not be denied unto an Appellor, who is demanded in due form as a Clerk, by the Ordinary.*
Anſwers aforeſaid, and all and every the things
[6] *for Us and our Heirs, grant the ſame* [7] *exerciſe*
[8] *By the King and Council.*

Item q̃mq̃m confeſſio, corã illo qui nõ eſt judex confitentis, nõ teneat nec ſufficiat ad faciendũ ꝓceſſum, vel ſententiam ꝓferend, quidã tamen ſeculares Judices, clicos, qui de foro ſuo in hac ꝑte nõ exiſtunt, reatus ꝓprios & enormes, ut puta furta, roberias, & homicidia, corã eis confitentes, admittunt ad accuſacõem alioꝝ, quã ipſi cõiter vocant appellũ, ipſosq; ſic confitentes, accuſantes ſeu appellum facientes, nõ liꝫant ꝑlatis eoꝝ poſt ꝑmiſſa, q̃ãq̃m ſup hiis fuint ſufficient requiſiti, licet corã eis eciam ꝓ confeſſionẽ ꝓpl'am judicari vel condempnari nequeant, abſq; violacõe eccliaſtice liꝫtatis: Reſponſio. Appellatori, in forma debita, tanq̃ clico ꝓ ordinariũ petito, liꝫtatis eccliaſtice beneficiũ nõ negatur.

Nos, deſiderantes ſtatui eccl'ie Anglicane, & t̃nquillitati & quieti ꝑlatoꝝ & cleri ꝑdcoꝝ, quaten de jure poſſim ꝓvidere, ad honorem Dei, & emendacõem ſtatus dce eccl'ie, & ꝑlatoꝝ & cleri ꝑdcoꝝ, oñes & ſingulas reſponſiones ꝑdcas, ac oñia & ſingula in eisdem reſponſionibꝫ contenta, ratificantes & approbantes, ea ꝓ nobis & ħedibꝫ nr̃is cõcedim, & ꝑcipim imꝑpetuũ inviolabiliꝫ obſervari; Volentes & concedentes, ꝓ nobis & ħedibꝫ nr̃is, qd ꝑdci ꝑlati & clerus, & eoꝝ ſucceſſores, impp̃m in ꝑmiſſis juriſdicõem eccliaſticam exꝺceant, juxta tenorẽ reſponſionũ ꝑdcaꝝ; abſq; occõne, inquietacõe, vel impedimento nr̃i vel ħedum nr̃oꝝ, ſeu miniſtroꝝ noſtroꝝ quoꝝcũq;. In cujus &c. T. R. apud Ebor̃ xxiiij. die Novembr̃ Anno Regni Reg̃ E. fit ꝓ E. decimo. (*a*)

ꝓ ipm Regẽ & conſiliũ.

(*a.*) This is the Date referred to at the End of the Statute 10 Edw. II. That Statute is entered on the Back of Membrane 33 of the Statute-Roll immediately following this Statute of 9 Edw. II.; and is alſo entered on Membrane 33 of the Patent Roll 10 Edw. II.

Statutum Lincoln', de Vicecomitibꝫ.

The STATUTE of SHERIFFS.*

STATUTE THE SECOND.

Ex magno Rot. Stat. in Turr. Lond. m. 32.

Appointment of Sheriffs, in the Exchequer.

Who ſhall be Sheriffs, and of what Eſtate they ſhall be.

FORASMUCH as our Lord King Edward, Son to King Edward, at his Parliament holden at Lincoln in Quindena Hilarii, in the Ninth Year of his Reign, by the Information of his Prelates, Earls, Barons, and other great Men of the Realm, being ſummoned to the ſame Parliament, and alſo by the grievous Complaint of the People, did perceive great Damage to be done to him, and great Oppreſſions and Diſheritances to his People, by reaſon unſufficient Sheriffs and Hundreders have been before this Time, and yet be in the Realm; Our Lord the King intending to eſchew ſuch evil Oppreſſions and Diſheritances, by the Aſſent of the Prelates, Earls, Barons, and other great Eſtates aforeſaid, hath ordained and eſtabliſhed in the ſaid Parliament, That the Sheriffs from henceforth ſhall be aſſigned by the Chancellor, Treaſurer, Barons of the Exchequer, and by the Juſtices; and in the Abſence of the Chancellor, by the Treaſurer, Barons, and Juſtices: and that none ſhall be Sheriff, except he have ſufficient Land, within the ſame Shire where he ſhall be Sheriff, to anſwer the King and his People; and that none that is Steward or Bailiff to a great Lord ſhall be made Sheriff, except he be out of Service, [ſo that he may[1]] attend to execute the Office of a Sheriff for the King and his People; ([2]).

POR ce q̃ nr̃e Seign'r le Roi Edward, fiz le Roi Edward, a ſon plement a Nicole, a la q'nzeme de la Seint Hiller, lan de ſon regne neuf, ꝓ demonſtraunce des Prelatz, Contes, Barons, & autres g̃ntz du Roiaume, ſomuns a cel plement, & ꝓ grevouſes pleintes del poeple, entendi g̃ntz damages eſtre faitz a lui, & trop griefs opp̃ſſions & desheritaunces a ſon poeple, ꝓ la reſon q̃ meins ſuffiſantz Viſcontes & Gardeins des Hundredz ont eſte avant ces houres, & uncore ſont en dit Roiaume; nr̃e ſeign'r le Roi, voillant eſcheure teux maux opp̃ſſions & desheritances, del aſſent des Prelatz, Contes, Barons, & les g̃ntz avantditz, en ſon dit plement, p'vit & eſtabli q̃ Viſcontes desoremes ſoient mis ꝓ le Chancellier, le Treſorier, & les Barons del leſcheqer, & ꝓ les Juſtices; & en abſence del Chauncell ꝓ le Treſ, Barons, & Juſtices; & q̃ nul ne ſoit viſconte ſil neit ꝛre ſuffiſaument, en meiſme le Contee ou il ſra Viſconte, por reſpondre au Roi & au poeple; et q̃ nul q̃ ſoit ſeneſchal ou Baillif de g̃nt ſeign' ſeit fait Viſconte, ſil ne oſte de autre ſvise, Mes tiel le ſeit q̃ de tut puiſe entendre al office de viſconte faire, p' le Roi & p' le poeple; & q̃ Chauncell, Treſ, Barons, & Juſtices facent & mettent en la mañe avantdite, ſanz autre regard aver.

[1] *but that he be ſuch that he be able entirely to*
[2] and that the Chancellor, Treaſurer, Barons, and Juſtices ſhall do and aſſign in manner aforeſaid, without having other regard.

* These Titles are from the Printed Copies and Tranſlations: No Title appears on the Roll.

En meisme la manᵉ est accorde & establi, q̃ les Hundredz le quel qil soient au Roi ou as autres, soient gardez p̄ gentz covenables eantz t̄re suffisaument en meisme le Hundred, ou en le Countee ou le Hundr̄ t̄ra: et si ascuns Viscountes ou Hundreders soient a ceo meins suffisantz, soient tantost remuetz, & autres covenables mis en la forme avantdite; & q̃ les hundredz soient lessez & bailletz a tieux gentz a renable [foer,'] issint qil ne coveigne pas qil facent extorsion sur le poeple, p̄ trop utrageouse ferme; & q̃ nul Visconte, ne Hundredor, ne baille a autre son office a garder a ferme, ne en autre manᵉ; & q̃ les execucions des briefs, q̃ vendroint as viscontes, soient faites p̄ les hundredors conus & juretz en plein Contee, & nemie p̄ autres, sil ne soit en g̃nt defaute ou notoire destorbance des hundreders; & adonqes soient faites p̄ autres covenables, & juretz; issint q̃ le poeple puisse saver a qi seure tieles execucions; save tuzjours retorn des brefs a ceus q̃ les ont, & aver deivent.

R̄ Vič Eborr̄ saltm. Mittim⁹ tibi quoddam statutū in p̄liamento nr̄o apud Lincolñ editū de forma constituendi Vicecomites & Ballivos Hundredoꝝ, & de aliis articul' in eodem statuto contentis, sigillo nr̄o cōsignatū, p̄cipientes qđ statutū illud in pleno Com̃ tuo legi, publicari, & in om̃ibꝫ articulis suis, q̃ntum ad te p̄tinet, firmit̄ & inviolabilit̄ fač observari. T.R. apud Lincolñ xx. die Febr̄ anno &c. nono.

Cons̄ t̄re dirigunt' singul' Vicecom̃ p̄ Angl'.

Et fait a remembrer q̃ meisme lestatut fu seale souz le g̃nt seal & maunde as Tresorer & Barons del Eschekier, & auxint as Justices de lun Bank & de lautre, de fermement garder en tuz ses pointz.

[1] ferme *Old Printed Copies.*

And in like Manner it is agreed and established, that Hundreds, whether they belong to the King or to other, shall be kept by convenient and able Persons, that have sufficient Land within the same Hundred or Shire where the Hundred is: [and that the Chancellor, Treasurer, Barons, and Justices shall do and assign in Manner aforesaid, without having other Regard.'] And if any Sheriffs or Hundreders be insufficient at this Time, they shall be removed, and other more convenient [put in their rooms;[2]] and that such Hundreds be leased and bailed to such Persons for a reasonable Rent, so that they need not to use Extortion upon the People by reason of too outragious Ferm; and that no Sheriff nor Hundreder shall lease his Office to any other in Ferm or otherwise; and that the Execution of Writs that come to the Sheriffs, shall be done by the Hundreders sworn and known in the full County, and not by other, if it be not ([3]) the open Default or notorious Disturbance of the Hundreders; and then Execution shall be done by other Persons meet and sworn, so that the People may know to whom to sue such Executions; saving always the Returns of Writs to them that have them, or ought to have them.

Who shall have the keeping of Hundreds.

Hundred may be farmed; but not the Office.

By whom Execution of Writs shall be done.

The King to the Sheriff of York, Greeting. We send you a certain Statute made in our Parliament at Lincoln, concerning the form of appointing Sheriffs and Bailiffs of Hundreds, and concerning other matters in the said Statute contained, sealed with our Seal; commanding you that the said Statute in your full County you do cause to be read, published, and in all its Articles, so much as to you belongeth, firmly and inviolably to be observed. Witness the King at Lincoln the twentieth day of February in the ninth year of his Reign.

Like Letters are directed to the several Sheriffs throughout England.

And Be it Remembered that the same Statute was sealed under the Great Seal, and sent to the Treasurer and Barons of the Exchequer, and also to the Justices of the one Bench and of the other, to be firmly kept in all its points.

[1] Omit this Sentence here. [2] *appointed, in the form aforesaid*; [3] *in case of*

Anno 10° EDWARDI, II. A.D. 1316.

De Statuto p' Clero inviolabilit' obs'vād.*

OF INVIOLABLY OBSERVING THE STATUTE FOR THE CLERGY.

Ex magno Rot. Stat. in Turr. Lond. m. 33. d.

[R. Om̃ibꝫ ad quos, &c. saltm.'] Sciatis qđ cum celebr̄ memorie dñs E. quondam R̄ Angl' pat̄ nr̄, in p'mo p̄liamento suo apud Westm̃ anno regni [nr̄i[2]] t̄cio, int̄ ceť, que ibidem p̄ emendač̃oe status populi regni sui, & p̄ t'nquillitate & quiete Prelatoꝝ & Cleri dči regni ordinavit, statuisset qđ nullus blada aliqua triturare, & ea vel victualia aut aliqua alia bona Prelatoꝝ, Religiosoꝝ, Rectoꝝ eccliaꝝ, aut alioꝝ de clero, sub colore empč̃ois vel alio modo quocūq;, infra villam m̃catoriā vel ext', nec eciam equos, boves, plaustra, carectas, naves, aut batellos suos, ad cariagia aliqua inde facienda, cape, asportare vel abduče p̄sum̃et, cont' voluntatē illoꝝ q̃ꝝ forent, vel custodū eoꝝdem; et qđ si quis de voluntate illoꝝ aliquod hujusmodi fač̃et, statim inde satisfač̃et illis sč̃dm qđ conveniri continget int̄ eos; et similit̄ qđ om̃es qui cont' p̄missa vel aliquod illoꝝ venirent, & inde convicti fuissent, prisone regie adjudicarent', & exinde sč̃dm qualitatē & modū delicti, & p̄ut Cur̄ regie expediens visum fuisset, redim̃ent'; et qđ si illi, quibꝫ

[1] Edwardus Dei gr̄a Rex Angl', Dñs Hibn, & Dux Aquit̄; Om̃ibꝫ ad quos p̄sentes litt̄e pvenit, Saltm. *Exempl. Wellens.*

[2] sui *Rot. Pat: Exempl. Wellens.*

THE King to All to whom, &c. Greeting. Know Ye That Whereas the Lord Edward of famous Memory, sometime King of England, our Father, in his First Parliament at Westminster in the Third year of his Reign, among other Things which he there ordained for amending the condition of the People of his Realm, and for the ease and quiet of the Prelates and Clergy of the said Realm, did enact "That no Man should presume to thrash Corn, nor to take, carry, or drive away the same, nor any Victuals nor other Goods of Prelates, Men of Religion, Rectors of Churches, or of others of the Clergy, by colour of buying or otherwise, within Market Town or without, nor their Horses, Oxen, Waggons, Carts, Ships, nor Barges, to make Carriage against the will of them to whom the things belonged, or of the Keepers of the same; and that if any should do any such thing by the Assent of the Party, then incontinent he should pay, according to the Covenant made between them; and also that all they that should offend against the Premises or any of them, and thereof be attainted, should be committed to the King's Prison, and pay a Fine thereupon, according to the quality and manner of the Trespass, and as it should seem expedient unto the King's Court; and that if they to whom such Trespass were done

Recital of Provisions in *Stat. Westm* I. 3 *Edw. I. c.* 1. respecting Purveyance on the Clergy.

* This Title is in the Margin of the Statute Roll; and also in the Margin of the Patent Roll 10 *Edw. II. P.* 2. *m.* 33, on which this Statute is entered. An Exemplification of the Statute is preserved in the Cathedral Church of Wells. In the Old Printed Copies of the Statutes, it is intituled, 'Litera Patens super Prisis bonorum Cleri.' In the modern Printed Copies it is erroneously attributed to the Third Year of this Reign. See page 174, note (*a*); and page 176, note 4.

would sue against such Trespassers, the Damages which they might sustain should be awarded and restored to them to the double; and the Trespassers should nevertheless be punished in the form aforesaid; and that if any one against whom a Trespass should happen to be done, contrary to the Form of the Statute aforesaid, would not sue against such Trespassers, nevertheless our said Father should have his Suit against the aforesaid Trespassers, as for a thing committed against his Commandment and against his Peace; and that our said Father would direct Inquiries to be made from year to year, as he should think expedient, what persons might have committed any such Trespass: And further that all those who should be indicted by such Inquests should be attached and afterwards be distrained by the great Distress to come into the Court of our said Father at a certain Day, containing the Space of a Month; and that if they should not come then, they should be distrained again by the like Distress, to come into the King's Court at a certain Day, containing the Space of Six Weeks: And that if they should not come then, they should be judged as attainted, and be bounden at the Suit of our said Father, to yield double Damages to those who had received such Hurt or Damage; and that nevertheless they should make grievous Fine at the King's Pleasure, after the manner and quantity of their Trespass:" as in the Statute aforesaid is more fully contained: And afterwards in the time of our said Father, and likewise in our time, since we have undertaken the government of our Realm, in divers Parliaments both of our Father and ourself, on behalf of the Prelates and Clergy of the aforesaid Realm, grievous Complaints have been preferred, alledging that Sheriffs and other Officers of our said Father in his life-time, and also our Officers in our time have not at all observed the aforesaid Statute; and that they, not weighing in aught or fearing the aforesaid Penalties, expressed as it is premised in the said Statute, the Corn, Victuals, and other Goods, and likewise the Horses Oxen, Waggons, Carts, Ships, and Barges of the Prelates and others of the Clergy, as well within Sanctuary as without, by colour of their Offices and otherwise at their will and pleasure, against the will of the said Prelates and Clergy, and the Keepers of such Things and Goods, have taken and driven away; Whereupon the said Prelates and Clergy have many times earnestly besought us to grant them a remedy: We, for the honour of God, and for preserving the Peace and Tranquillity of the Church of England in time to come, willing that the Statute aforesaid, which was made by our said Father and the whole common Council of his Realm, as it is rehearsed, although it should have been hitherto less fully observed in some or other of the Articles therein contained, should nevertheless be inviolably observed in all things henceforth for ever, do grant and strictly command for Us and our Heirs, that no Sheriffs or other Officers of Us or our Heirs, or any other Person whatsoever, do presume to thrash any Corn, and the same or any other Victuals or Goods, or else Horses, Oxen, Waggons, Carts, Ships, or Barges of Prelates, Men of Religion, Rectors of Churches, or of others of the Clergy, under colour of buying or otherwise, in Market-Towns or elsewhere, against the will of the Owners or Keepers thereof to take, carry, or drive away, or by occasion thereof to make any Extortion upon any Man, under all and singular the Penalties abovesaid; and that all and singular Persons who shall offend in the Premises, without any excuse whatever, shall be subject to the Penalties aforesaid: And that all and singular the Officers of Us and our Heirs, that is to say, every of them so far as it may belong to him by reason of his Place, shall upon such as do contrary hereto, execute the Penalties aforesaid; and that they who shall happen to be committed to Prison for such cause shall not be delivered out of the same without the especial Command of Us and our Heirs. In Witness whereof, &c. Witness the King as above. (*a*)

By the King and Council.

Complaint of the non-observance of the recited Provisions.

Confirmation of the said Provisions.

(*a*) See Page 174, note *a*.

in aliquo p̄missoꝝ t̄nsgressum foret, p̄sus t̄ngressores hujusmodi sequi vellent, dampna que eos sustinere contingęret eis in duplū adjudicarent' & restituerent', et t̄nsgressores in forma p̄dč̄a nichilomin⁹ punirent'; qđq, [& [1]] forsitan aliquis, cui cont' formā statuti p̄dči t̄nsgredi contingęret, cont' transgressores hujusmodi sequi nollet, nichilomin⁹ dčus pat⁹ nr̄ cont' t̄nsgressores p̄dčos sectam suā, tanq'm de re cont' p̄hibič̄oem & pacē suam fč̄a, ħeret; et qđ idem pat⁹ nr̄ de anno in annū inquiri facęt, p̄ut expedire videret, qui aliq'm t̄ngressionē hujusmodi cōmisissent: et insup qđ oīes illi qui p̄ tales inquisič̄oes indictati essent attachiarent', & postmodū ad veniendū in Cur̄ dči p̄ris nr̄i ad certū diem, unius mensis spaciū continentē, p̄ magnā districč̄oem distringęnt'; et qđ si tūc nō venirent it̄ato distringęnt' p̄ consimilem districč̄oem, ad veniendū in Cur̄ regia ad t̄minū sex septimanaꝝ spaciū continentē; et qđ si tūc nō venirent, tanq' convicti judicarent', & dampna in duplū, illis qui dampna illa recepant, ad sectam dči p̄ris nr̄i reddere tenent'; et qđ nichilomin⁹ sč̄dm modū & q'ntitatem t̄nsgressionis iꝑoꝝ ad voluntatē regiam g'vit̄ redimęnt'; p̄ut in statuto p̄dčo plenius continet': ac subsequent⁹, tempe dči genitoris nr̄i, & similit̄ tempe nr̄o postq'm suscepim⁹ regimen regni nr̄i, in div̄sis p̄liamentis iꝑius patris nr̄i & nr̄is, ex p̄te prelatoꝝ, & cleri regni p̄dči g'ves p̄posite fuissent querimonie, continentes qđ Vicecomites & alii Ministri dči p̄ris nr̄i dū vixit, nec nō Ministri (') tempe nr̄o, statutū p̄dčm nullaten⁹ observarunt; set qđ iꝑi penas p̄dčas, in dčo statuto ut p̄mittitur expressas, nō ponderantes in aliquo seu timentes, blada, victualia & alia bona, & similit̄ equos, boves, plaustra, carettas, naves et batellos, Prelatoꝝ & alioꝝ de clero, tam infra sč̄uariū q'm ext', sub colore officioꝝ suoꝝ & alias p̄ eoꝝ libito voluntatis, cont' dčoꝝ Prelatoꝝ & cleri ac custodū reꝝ & bonoꝝ hujusmodi voluntatē, ceperunt & abduxerunt; sup quiꝫ dči Prelati & clerus remediū sibi fieri sepius cū instancia supplicarunt: Nos ad honorē Dei, & p̄ pace & t̄nquillitate eccl̄ie Anglicane futuris tempiꝫ observand, Volentes qđ statutū p̄dčm, quod p̄ dčm p̄rem nr̄m & totū č̄oe consilium regni sui editū extitit, ut est dčm, q'mvis in aliquiꝫ vel aliquo articloꝝ in iꝑo contentoꝝ hactenus minus plene fuit observatū, nichilomin⁹ imposterū ꝑpetuis tempiꝫ inviolabil̄it̄ in oīibꝫ observet', concedim⁹ & firmit̄ p̄cipim⁹, p̄ nobis & ħedibꝫ nr̄is, qđ nulli vicecomites aut alii Ministri nr̄i, vel heredū nr̄oꝝ, seu alius quicūq, blada aliqua triturare & ea vel aliqua alia victualia, vel bona, aut eciam equos, boves, plaustra, carectas, naves seu batellos, Prelatoꝝ, Religiosoꝝ, Rectoꝝ eccl̄iaꝝ, vel alioꝝ de Clero, sub colore empč̄ois, vel alio modo, in villis m̄catoriis aut alibi, contra voluntatē illoꝝ quoꝝ fuint vel Custodū eoꝝdem, cape, asportare, vel abduč̄e, aut eciam occ̄one illa extorsionē aliq'm ab aliquo fač̄e p̄sumant, sub oīibꝫ & singlis penis sup'dčis; et qđ oīes & singli cont' p̄missa venientes absq, excusač̄oe quacūq, penis subjaceant antedčis; qđq, oīes & singli ministri nr̄i & ħedum nr̄oꝝ, quilibet videlicet iꝑoꝝ quaten⁹ ad iꝑum racione officii sui pot̄it ꝑtinere, in hujusmodi cont'venientes penas exč̄eant antedčas; et qđ illi quos prisone ea occ̄one [convicti [3]] contigit, ab eadem nō deliberent' sine nr̄o & ħedū nr̄oꝝ mandato sp̄ali. [In cuj⁹ &c. T. R. ut sup'.[4]]

p iꝑm Regē & consiliū.

[1] si *Rot. Pat: Exempl. Wellens.* [2] nr̄i *Rot. Pat.*
[3] cōmitti *Rot. Pat: Exempl. Wellens.*
[4] { In cuj⁹ &c. T. R. apud Eboꝝ xxiiij. die Novembr̄. *Rot. Pat.*
{ In cuj⁹ rei testimoniū has l̄ras nr̄as fī fecim⁹ patentes.

Teste me iꝑo apud Eboꝝ vicesimo quarto die Novembr̄ anno regni nr̄i decimo. *Exemplif. Wellens. wherewith MS. Cott. Claud. D. II; several other MSS. and the Old Printed Copies agree.*

Anno 12° EDWARDI, II. A.D. 1318.

Statutū Eborac'.

THE STATUTE OF YORK.*

Ex magno Rot. Stat. in Turr. Lond. m. 32.

PUR ceo qe plusurs gentz du Roialme Dengleᵗre, & de la ᵗre Dirlaunde, unt einz ces houres soventefeth soffert meschefs & desheritesons, par encheson de ceo qe en ascun cas ou defaute de lei fust, remedie ne fust ordene; & aussint pʳ ceo q̃ ascuns pointz des estatutz avant faitz avoient mestier desclarsissement: Nr̃e Seignr le Roi Edward, fiz au Roi Edward, desiraunt plenere dreit estre faite a son poeple, a son plement a Everewyk, as tres simoignes de seint Michel, lan de son regne duszisme, par assent des Prelatz, Countes, Barons, & la cõaute de son reaume illoeq̃s assemblez, fist les establissementz, & les estatutz qe sensuent, les queus il veut q̃ en le dit roialme & en la dite ᵗre soient fermement tenutz.

En primes pur diᵛses meschefs, qe unt estez de ceo q̃ les tenantz en assises de novele disseᵛe ne poeint avant ces houres fere attorne; Accorde est q̃ les tenantz en brefs de novele disseᵛe desore puissent fere attornez. Et nentent mie le Roi p tant q̃ les tenantz & les defendantz, en assises de novele disseᵛe, ne puissent pleder p baillif com avant soleient, sil voillent.

Et ensement acorde est, q̃ qant Chartre, quite clamaunce, aquitance, ou autre escrit, seit dedit en la Courtʳ le Roi, en queus soient tesmoignes nomez, seit pces fait de fere venir les tesmoignes, com avant ad este usee: issint q̃ sil ne veignent a la gⁿnt destresce sur eus retʳnee, ou q̃ retʳne seit qil ne unt rien, ou ne sont trovez, q̃ adonk ne seit lessee la prise de lenqueste p absence de tieux tesmoignes. Et si les tesmoignes veignent p la gⁿnt destresce, & lenqueste p ascune encheson remaigne a p̃ndre, seit mesme le jour done a ceus tesmoignes q̃ issint vendront, qest done a lenqueste p̃ndre; A queux jour si tieux tesmoignes ne veignent, soient lour issues sur eux primes retʳnetz forfeetz, & la prise de lenqueste ne remaigne par lour absence. Et pʳ absence des tesmoignes, qe sont des franchises, ou brief le Roi original ne court mie, ne seit la prise de tiele enqueste lesse.

Et com il seit contenu en lestatut fait a Westm̃, le secund jour Daverill lan du regne Edward pere nr̃e Seignr le Roi qore est vint septime, q̃ les enquestes, & les reconisaunces, devant Justices de lun Bank & de lautre ajugez, fuissent prises devant ascun des Justices des places, associe a li un Chivaler du Counte ou les enquestes ᵗreient a p̃ndre, si les enquestes ne fuissent de gⁿnt examinement; & q̃ en tieles enquestes p̃ndre fust fait sicom les Justices verroient q̃ fust a fere, au p̃fit du Roialme; Le quel estatut ad bosoigne destᵗ meuz declare: Acorde est q̃ les enquestes & Juretz, q̃ sont & ᵗront a p̃ndre en pleez de ᵗre, qe ne sont mie de gⁿnt examinement, soient prises en pays devant une Justice de la place ou le ple est, associe a li un p̃dhome du pays, Chevaler ou autre, Issint q̃ ctein jour seit done en Bank, & ctein jour & leu, en pays, en p̃sence des pties, si demaundaunt le prie.

FORASMUCH as divers People of the Realm of England and Ireland have heretofore many Times suffered great Mischiefs, [Damages,] and Disherisons, by reason that in some Cases where the Law failed, no Remedy was ordained; and also forasmuch as some Points of the Statutes heretofore made had Need of Exposition: Our Lord King Edward, Son to King Edward, desiring that full Right be done to his People, at his Parliament holden at York, the third week after the Feast of Saint Michael, the Twelfth Year of his Reign, by the Assent of the Prelates, Earls, Barons, and the Commonalty of his Realm there assembled, hath made these Acts and Statutes here following, the which he willeth to be straitly observed in his said Realm and Land.

I. Tenants in Novel disseisin may make Attorney.

FIRST, For divers Mischiefs that have been, because Tenants in Assise of Novel Disseisin might not make Atturnies heretofore: It is agreed that the Tenants in Assise of Novel Disseisin from henceforth may make Atturnies. Yet the King intendeth not hereby that the Tenants and Defendants in Assises of Novel Disseisin should not plead by Bailiffs, if they will, as they have used to do heretofore.

Pleading by Bailiffs.

II. Inquests shall not be delayed by the absence of Witnesses to Deeds.

ALSO It is agreed, That when a Deed, Release, Acquittance, or other Writing is denied in the King's Court, wherein Witnesses be named, Process shall be awarded to cause such Witnesses to appear, as before hath been used; so that if none of them come at the great Distress returned, or if it be returned that they have nothing, or that they cannot be found, yet the taking of the Inquest shall not be deferred by the Absence of such Witnesses. And if the Witnesses do come in at the great Distress, and the Inquest for some Cause remaineth untaken, the Witnesses that come in shall have like Day given them as is assigned for the taking of the Inquest; at which Day, if the Witnesses do not appear, the Issues that were first returned upon them shall be forfeit; and the taking of the Inquest shall not be deferred because of their Absence. And for Absence of Witnesses, dwelling within Franchises where the King's Writ original doth not lie, the taking of an Inquest shall not be omitted.

III. Inquests determinable in the Benches, may be taken in the Country. [*See Stat. of Fines, 27 Edw. I. ch. 4.*]

AND Where it is contained in a Statute made at Westminster the second day of April, in the xxvii. year of the Reign of the King's Father that now is, that Inquests and Recognisances [taken '] before Justices of the one Bench and of the other, should be taken before any Justice of the [Places ²] [accompanied with ³] some Knight of the Shire where such Inquests hap to be taken, if they have not need of great Examination; and that in such Inquests the Justices shall do as they think most expedient for the wealth of the Realm; the which Statute needeth to be better declared: It is agreed, that Inquests and Juries that be and shall be taken in Pleas of Land, that require not great Examination, shall be taken in the Country before a Justice of the [Place ⁴] where the Plea is, [accompanied with ³] a substantial Man of the Country, Knight, or other, so that a certain Day be given in the Bench, and a certain Day and Place in the Country, in the presence of the Parties, if the Demandant request it.

¹ determinable
² *Courts*
³ *there being associate with him*
⁴ *Court*

* These Titles are from the Printed Copies and Translations. No Title appears on the Roll.

And also the Inquests and Juries, in Pleas of Land that require great Examination, shall be taken in the Country, in the Manner abovesaid, before two Justices of the Bench:

IV. Justices of Nisi Prius may record Non-suits, Defaults, &c.

AND the Justices or Justice shall have power to record Nonsuits and Defaults in the Country, at the Days and Places assigned, as afore is said. And that which they shall have done in the things above mentioned, shall be reported in the Bench at a day certain, there to be inrolled, and thereupon Judgement shall be given. And the King intendeth not, that the said Inquests and Juries should not be taken in the Bench, if they come, nor that this Statute should extend unto great Assises. And also one Justice of the one [Place [1]] and of the other, [being associate with [2]] a discreet man of the Country, Knight, or other, at the request of the Plaintiff, shall take Inquests upon Pleas pleaded and to be pleaded, that be moved by Attachment and Distress, and shall have power to record Nonsuits as above is said, and to take Inquests upon Defaults there made. And as to ([3]) the Inquests to be taken upon Writs of Quare Impedit, it shall be done as is contained in the Statute of Westminster the Second; and the Justices shall have power to record Nonsuits and Defaults in the Country, and to give Judgement thereupon, as they do in the Bench, and [there to report that which they have done, and there to be inrolled.[4]] And if it happen, that the Justice or Justices that shall be assigned to take such Inquests in the Country, do not come, or [if they come[5]] into the Country at the Day assigned, yet the Parties and Persons of such Inquests shall keep their Day in the Bench.

Assises of Darrein Presentment &c. [*See Stat. Westm. 2. ch.* 30.]

V. Returns in Liberties shall be made by Indenture between the Bailiff and the Sheriff.

AND Because it is many times complained in the King's Court [upon Returns, that [6]] Bailiffs of Franchises, having full power to return the King's Writs, have delivered to Sheriffs, [that have been [7]] after changed, and otherwise returned into the King's Court, to the great Damage of some of the Parties and the Delay of Right; It is agreed that of Returns which hereafter shall be delivered to the Sheriffs by Bailiffs of such Franchises, an Indenture shall be made between the Bailiff of the Franchise by his proper Name, and the Sheriff by his proper Name. And if any Sheriff change the Return so delivered to him by Indenture, and be thereof convict, at the Suit of the Lord of the Franchise, of whom he received the return, if the Lord have had any Damage, or if his Franchise be imblemished, and at the Suit of the Party that hath sustained Loss through that occasion, he shall be punished by the King for his false Return, and shall yield unto the Lord and to the Party double Damages. Also It is agreed, that from henceforth Sheriffs, and other Bailiffs that receive the King's Writs returnable in his Court, shall put their own Names with the Returns, so that the Court may know [of whom they took such Returns,[8]] if need be; and if any Sheriff or other Bailiff leave out his Name in his Returns, he shall be grievously amerced to the King's Use.

Sheriffs and Bailiffs shall set their Names to their Returns.

VI. No Officer keeping Assise of Wine and Victuals shall merchandize therein during his Office.

ALSO to the common profit of the People, It is agreed, That no Officer in City or in Borough, that by reason of his Office ought to keep Assises of Wines and Victuals, so long as he is attendant to that Office, shall not merchandise for Wines nor Victuals, neither in Gross nor by Retale: And if any do, and be thereof convict, the Merchandize whereof he is convict shall be forfeit to the King, and the third part thereof shall be delivered to the Party that sued the Offender, as the King's Gift. And in such Case he that will sue [for a thing so forfeited,[9]] shall be received: And the Chancellor, Treasurer, Barons of the Exchequer, Justices of either Bench, and Justices assigned to take Assises, shall admit such Plaints by Writs, and without Writs, and shall determine them, and shall perform all things contained in these Articles in form abovesaid. And nevertheless the King may assign his Justices to execute this Thing in Cities and Boroughs, when and where it pleaseth him.

[1] *Bench* [2] *there being associate with him*
[3] *Assizes of Darrein Presentment, and*
[4] *and that which they have done shall be reported into the Bench, and there be inrolled:* [5] *come not*
[6] *that Returns, which* [7] *have been*
[8] *who are answerable for such Returns,* [9] *to obtain such thing,*

Et ausi les enquestes & Jurez en plai de ꝑre, qe demaundent g[a]nt examinement, soient prises en pays, en la fourme susdite, devant deus Justices du Bank: et eyt la Justice ou les Justices poer a recorder nonsutes & defautes en pays, as jours & lieus q̃ ꝺront assignez, com desus est dit. Et ceo qil a∀ont fait, en les choses susdites, seit reporte en Bank a jour done, & illoeq̃s enroule, & de ceo jugement rendu. Et nentent mie le Roi q̃ les dites enquestes & Jurez ne pussent estre prises en Bank, si eles veignent, ne q̃ cest estatut sestent a g[a]nt assises. Et ausi une Justice del un Bank & de lautre, associe a lui un ꝓdhome du pays, Chevaler ou autre, a la requeste du pleintif, ꝓigne les enquestes des pledz, pledez & a pleder, q̃ sont meuez par attachementz & destresces, Et eyt poer de recorder les nonsutes, com desus est dist, & ꝓndre les enquestes par defautes illoeq̃s faites. Et qant a les assises de dr̃ein ꝓsent̃, & les enquestes sur bref de Quare impedit ꝓndre, seit fait com il est contenutz en le secund estatut de Westm̃; Et eyt la Justice poer de recorder nonsutes, & defautes en pays, & sur ceo jugement doner, com en Bank, & seit reporte en Bank ceo q̃ il a∀a fait, & illoeq̃s seit en roule. Et si issint aveigne q̃ les Justices ou la Justice q̃ ꝺront ou ꝺra assigne de prendre tieles enquestes en pays, ne veignent pas, ou ne veigne en pays au jour assigne, jadumeyns les parties & les gentz del enqueste gardent lour jour en Bank.

Et pur ceo q̃ sovenere pleinte ad este faite, en la Court le Roi, q̃ les ret'ns, q̃ Baillifs des Fraunchises, q̃ unt pleyn ret'n des Briefs le Roi, unt li∀ez as viscontes, a∀s unt este chaungez, & en autre manere ret'nez en la Court le Roi, a g[a]nt damage des ascuns des ꝑties, & en delayance de droit'e; Acorde est q̃ des ret'ns, q̃ desore se ferront as viscontes ꝑ baillifs des tieles f[a]unchises, seit faite endent'e plenere, entre le Baillif de la f[a]unchise, nome ꝑ son ꝓpre noun, & le viscounte nome ꝑ son ꝓpre noun. Et si nul viscounte chaunge ret'n issint li∀e a li ꝑ endent'e, & de ceo seit atteint a la suite le Seign[r] de la fraunchise dont il a∀a tiel ret'n resceu, si le Seign[r] a∀a damage encoru ou sa fraunchise seit enblemie, & ala sute de la partie q̃ a∀a damage encorue ꝑ cel encheson, seit puni de vers le Roi com de faus ret'n, & rende au Seign[r] & a la ꝑtie damage a double. Aussint est acorde q̃ desore Viscontes & autres Baillifs q̃ resceivent brefs le Roi, ret'nables en sa court, mettent leur ꝓpres nouns ove leur ret'ns, issint q̃ Court puisse savoir a qi ꝑndre des tieux ret'ns si mestier seit; et si nul visconte, ou autre baillif, en ses ret'ns entrelesse son noun, seit grevement a∀cie al oeps le Roi.

Ensement por comun ꝑfit du poeple acorde est q̃ nul ministre, en Cite ne en Burgh̃, qi ꝑ reson de son office deit garder assise des vins & des vitailles, tant com il ꝺra entendaunt a tiel office, ne marchaunde des vins ne des vitalles, en gros ne a retail. Et si nul face, & de ceo seit atteint, la marchaundie dount il ꝺra ateint seit forfaite au Roi, & la t'ce ꝑtie seit li∀e, com de doun le Roi, a celi a qi sute le trespassour ꝺra issint ateint. Et en tieu cas seit resceu celi q̃ vodra sure por tieu chose ateindre: Et Chaunceller, Tresorer, Barons del Escheker, Justices del un Bank & de lautre, & Justices assignetz as assises ꝑndre, resceivent tieux pleintes, ꝑ brief & sans bref, & les t'minent, & ꝑfacent totes les choses contenues en cest article, en la fourme avantdite. Et jadumeyns put le Roi assigner ses Justices a ceste chose ꝑfere en Cites & en Burghs, qant & la ou il plerra.

ꝟ dilcis & fidelibꝫ suis Henrico le Scroꝑ, & sociis suis, Justič nr̃is ad plita coram nob̃ tenenda assign̄, Saltm. Quedam statuta p nos, in p̄senti pliamento nr̃o apud Eboꝛ cōvocato, de assensu Prelatoꝛ, Comitū, Baronū, & tocius cōitatis regni nr̃i ibidem existenciū, ad cōem utilitat̄ populi ejusdem regni edita, vob̃ mittim⁹ sub sigillo nr̃o consignata; Mandantes q⁹tenus statuta illa corā vob̃ publicari, & ea in ōibꝫ & singl suis articul, quantū ad vos ptinet firmit̄ teneri, fač. T. ꝟ apud Eboꝛ p'mo die Decembr̃. p iꝑm Regē.

Le Roi au Viscounte deverwyk, saluz. Come nadgeres, entre autre estatutz faitz a nr̃e' dreiñ plement a Everwyk, feussent accordeez & faitz les establissementz q̃ sensuent; Por ceo q̃ sovenere pleinte ad este faite en la Court le Roi &c. ut s⁹ usq; in finē; Vo⁹ comandons q̃ les ditz pointz, ensi establiz, facetz publier, en vr̃e plein Countee e en Cites e en Burghs, & aillors en vr̃e baillie, ou vous verretz qil soit afaire, & les teignetz & gardez tantq; come a vo⁹ apent, sur les peines susecrites. Donez a Everwyk le oytisme jour de Janevoir.

Eodem modo mand̄ est singul Vicecom̄ p Angl.

Dč̄a statuta postmodū missa fuerūt in Hib̃n, ut in b̃ri subscripto continet'; et lib̃ata fuerūt Godefrido fil Rog̃i, una cū dčo b̃ri deferend.

ꝟ Cancellar̃ suo Hib̃n, saltm. Quedam statuta p nos in pliamento nr̃o nup apud Eboꝛ cōvocato, de assensu p̄latoꝛ; Comitū, Baronū, & tocius Cōitatis regni nr̃i, ibidem existenciū, ad cōem utilitatem populi ejusdē regni, ac t̄re nr̃e Hib̃n edita, vob̃ sub sigillo nr̃o mittimus cōsignata, mandantes qd̄ statuta illa in dč̄a Cancellar̃ nr̃a custodiri, ac in rotulis ejusdē Cancellar̃ irrotulari, & sub sigillo nr̃o quo utimur in Hib̃n in forma patenti exemplificari, & ad singulas placeas nr̃as in t̄ra p̄dč̄a, & singulos Comitatus ejusdē t̄re, mitti fač, p b̃ria nr̃a sub dčo sigillo; ministris nr̃is placeaꝛ illaꝛ, & vicecomitibꝫ dčoꝛ Com̄, mandantes qd̄ statuta illa coram iꝑis publicari, & ea in om̄ibꝫ & singulis suis articulis, quantū ad eoꝛ singulos ptinet, firmit̄ fač obs̄vari. T. Reg̃ apud Clarindon x. die Septembr̃ anno &c. quartodecio. p iꝑm Reg̃.

(a) ꝟ Cancellar̃ suo Hib̃n, saltm. Quedam statuta p nos de assensu Prelatoꝛ Comitū, Baronū, & Cōitatis regni nr̃i nup apud Lincoln̄, & quedam alia statuta postmod̄ apud Eboꝛ, fč̄a, que in dč̄a t̄ra nr̃a Hib̃n, ad cōem utilitatem populi nr̃i ejusdem t̄re observari volum⁹, vob̃ mittim⁹ sub sigillo nr̃o; mandantes qd̄ statuta illa in dč̄a Canč nr̃a custodiri, ac in rotulis ejusdem Cancellar̃ irrotulari, & sub sigillo nr̃o quo utim' in Hib̃n in forma patenti exemplificari, & ad singulas placeas nr̃as in t̄ra p̄dč̄a, & singulos Com̄ ejusdem t̄re, mitti fač p b̃ria nr̃a sub dčo sigillo; Ministris nr̃is placeaꝛ illaꝛ, & vicecom̄ dčoꝛ Com̄ mandantes qd̄ statuta illa corā iꝑis publicari, & ea in ōibꝫ & singul suis articulis, q'ntū ad eoꝛ singulos ptinet, firmit̄ fač observari. T. ꝟ apud Notyngh̄m xx. die Nov̄.

p iꝑm Reg̃.

The King to his well beloved and trusty Henry Scrope, and his Fellows, our Justices assigned to hold Pleas before Us, Greeting. Certain Statutes, by Us, in our present Parliament called at York, with the assent of the Prelates, Earls, Barons, and of all the Commonalty of our Realm there being, for the common weal of the People of the said Realm, made, We do send to you, signed under our Seal; Commanding that the same Statutes before you, you do cause to be published; and the same, in all and singular their Articles, as much as to you belongeth, to be firmly held. Witness the King at York the First day of December. By the King himself.

The King to the Sheriff of York, Greeting. Whereas late among other Statutes made at our last Parliament at York, the Establishments following were accorded and made; "Because it is many times complained in the King's Court, &c." [*Chapter* V. *of preceding Statute*] as above to the End; We do command you that the said Points so established, you do cause to be published in your full County Court, and in Cities and Towns, and elsewhere in your Bailiwick, where you shall see meet to be done; and that you do keep and observe the same, as much as to you belongeth, on the pains above written. Given at York the Eighth day of January.

In the same manner it was commanded to every Sheriff throughout England.

The said Statutes afterwards were sent into Ireland, as is contained in the Writ underwritten, and were delivered to Godfrey Fitz Roger with the said Writ, to be carried thither.

The King to his Chancellor of Ireland, Greeting. Certain Statutes, by Us, in our Parliament lately called at York, with the Assent of the Prelates, Earls, Barons, and the whole Commonalty of our Realm there being, for the common weal of the People of the said Realm, and of our Land of Ireland, made, We do send to you signed under our Seal; Commanding that the same Statutes you do cause to be kept in our Chancery aforesaid, and in the Rolls of the same Chancery to be inrolled, and under our Seal which We use in Ireland, in form Patent to be exemplified; and to every our Courts in the Land aforesaid, and into every County of the same Land, to be sent, by our Writs under the said Seal; Commanding our Officers of those Courts and the Sheriffs of the said Counties, that the said Statutes before them they do cause to be published, and the same in all and singular their Articles, as much as to every of them belongeth, to be firmly observed. Witness the King at Clarendon the tenth day of September, in the Fourteenth year &c. By the King himself.

The King to his Chancellor of Ireland, Greeting. Certain Statutes, by Us, with the Assent of the Prelates, Earls, Barons, and Commonalty of our Realm, lately at Lincoln, and certain other Statutes afterwards at York, made, which We will should be observed in our said Land of Ireland, for the common weal of the People of our said Land, We do send to you under our Seal; Commanding that the same Statutes you do cause to be kept in our said Chancery, and in the Rolls of the same Chancery to be enrolled, and under our Seal, which We use in Ireland, in form Patent to be exemplified, and to every our Courts in the Land aforesaid, and into every County of the same Land, to be sent, by our Writs under the said Seal; Commanding our Officers of those Courts, and the Sheriffs of the said Counties, that the said Statutes before them they do cause to be published, and the same in all and singular their Articles, as much as to every of them belongeth, to be firmly observed. Witness the King at Nottingham the twentieth day of November. By the King himself.

(a) *This Writ is also entered in the Red Book of the Exchequer at Dublin, fo.* 33, *preceded by a Memorandum, and followed by the Statute of Sheriffs,* 9 *Edw. II. and the Statute of York,* 12 *Edward II. in the following Form:*

Memorand̄ qd̄ q'rto die Maii, anno regni Reg̃ Edwardi fil R. E. decimo septimo, dñs . . . mandavit Cancellar̃ suo Hib̃n, quedam Statuta apud Lincoln̄ & Eboꝛ edita, & ea in eadē publicari & obs̄vari p̄cepit, p b̃re qd̄ sequit' in h̄ verba. Edwardus Dei gr̃a Rex Angl, Dñs Hib̃n, & Dux Aquit̄ Cancellar̃ suo Hib̃n [&c. *In the Words of the last Writ on the Tower Roll.*] T. me ipō apud Notingh'm xx die Novembr̃, anno r. n̄. decimo septimo. p iꝑm Regem & Consiliū.

Then follows an Entry of the said Two Statutes at length.

Anno 14° EDWARDI, II. A.D. 1320.

Statutum Westm' iiij.

THE STATUTE OF WESTMINSTER; THE FOURTH.*

FORASMUCH as among other Oppressions and Grievances, which the People hath felt by Sheriffs and other Ministers, against the Form of the Statutes and other Remedies therefore provided, they have felt themselves much grieved, by this, that some Sheriffs and other Ministers do not acquit, at the Exchequer of our Lord the King, those of whom they have levied Money for the King's use by Summons of the Exchequer, and whereof they have made Tally to the Debtor, or other Acquittance; and by this, that in Juries of twenty-four the Process hath been tedious; as hath been shewn to our Lord King Edward, Son of King Edward, at his Parliament at Westminster on the Octave of St. Michael, in the Fourteenth year of his Reign, by the Complaint of the Commonalty of his Realm: Our Lord the King desiring to provide and apply Remedy, for the Profit of his People; by the Assent of the Prelates, Earls, and Barons, and all the Commonalty of his Realm, in the said Parliament, hath made and established the Statutes following:

Concerning Acquittances by Sheriffs.

(1) Of the Sheriffs and other Ministers, which gather the Debts of the King, and make Tallies and other Acquittances to the Debtors, yet do not acquit them in the Exchequer, and of the same are impleaded in the Exchequer, and by favour are put to little Issues, which they will rather leese then come to answer, and so are the Plaintiffs always charged, to their great Damage and Oppression: It is ordained and established, that [the Sheriffs and other Ministers, when they are [2]] impleaded in the Exchequer, [are so far gone in Plea [3]] that the great Distress is returned against him, and he cometh not to answer, then shall go forth another Writ of Distress returnable at a certain Day, in which Writ it shall be commanded that Proclamation be made in the full County, that the Defendant come at such a Day, and acquit the [Debt [4]] of the Sum for which he made the Tally or Acquittance; at which Day if the Defendant come not, and the Writ be returned and Proclamation certified, he shall be holden for convict, and the Debt taken of him, as Debt recovered in the King's Court, and Damages awarded to the Plaintiff, according to the Discretion of the Barons. And this Statute shall extend as well to those which [were [5]] Sheriffs and other Ministers, [that let to lease [6]] their Bailiwicks, as to Sheriffs and other Ministers [which hold their Bailiwicks themselves.[7]] And it is not the intent of our Sovereign Lord the King, nor of his Council, [nor by this Statute, no man [8]] shall be forbidden, but that they may complain of Sheriffs and other Ministers when they shall be found in the Exchequer, and that they shall answer there, as hath been reasonably used before this time.

[1] *First*; [2] *when the Sheriff or other Minister is hereof*
[3] *and it hath been so far proceeded in the Plea,*
[4] *Debtor* [5] *have been* [6] *although they have left*
[7] *so long as they hold their Bailiwicks.*
[8] *that by this Statute any man*

Ex magno Rot. Stat. in Turr. Lond. m. 33. d.

PORCEO q̃ entre autres opp̃ssions & grevaunces, q̃ le poeple ad sentu p̱ Viscontes & autres Ministres, countre fourme des statutz, & autres remedies de ceo p'veus, il se sent mult greve, de ceo q̃ ascuns Viscountes, & autres Ministres, ne aquitent mie, al Escheker nr̃e Seign' le Roi, ceux des queux il ount leve deners al oeps le Roi p̱ somons del Escheker, & dount il ount fait taille al dettour ou autre acquitaunce; Et de ceo q̃ en jurez de vint & quatre le p̱ces ad este long; sicome monstre fust a nr̃e Seign' le Roi Edward, fiz le Roi Edward, a son p̱lement a Westmonster as utaves de la Seint Michel, lan de son regne quatorzisme, p̱ pleinte de la Cōmune de son roialme: nr̃e Seign' le Roi, desiraunt p'veer & mettre remedie au p̱fist de son poeple, p̱ assent des Prelatz, Countes, & Barouns, & tote la Cōmune de son Roialme, en dit p̱lement, fist & establist les estatutz q̃ sensuent.

Adeprimes, des Visconts & autres Ministres q̃ ount leve la dette le Roi, & fount taille ou autre aquitaunce au dettour, & ne laquitent pas al Escheker, & de ceo sont empledez al Escheker, & p̱ favour sount mys as petites issues, queux il voillent plus voillentiers p̱dre q̃ venir a respons, & issint sont les pleintifs totes voyes chargez, a mult g'nt damage & opp̃ssion de eux; Ordene est et establi, q̃ Visconte ou autre Ministre, q'nt il est de ceo enplede al Escheker, & soit si avaunt ale en le ple q̃ la g'nt destresce soit ret'ne sur lui, & il ne veigne pas a respons, adonqes isse autre brief de destresce, ret'nable a c̃tein jour, en queu brief soit maunde q̃ p̱clamacion soit faite en plein Countee, q̃ le defendaunt veigne a teu jour, & aquite le dettour de la sūme dount il fist taille, ou aquitaunce; a queu jour si le defendaunt ne veigne pas, & bref soit ret'ne & p̱clamacion tesmoigne, soit tenu p' convict, & la dette leve de lui, auxi come dette recov̄i en la Court le Roi, & damages agardez au pleintif, solom descrecion des Barons. Et doit cest estatut estendre auxi bien a ceux q̃ ount est ez Viscountes, & autres Ministres, tut lessen til lour baillies, come a Viscontes & autres Ministres, taunt come il tenent lour baillies. Et nest mie lentencion de nr̃e Seign' le Roi, ne de son counseil, q̃ p̱ cest estatut, seit nul hōme forclos, qil ne se puisse pleindre sur Viscounte, & autre Ministre, q'nt il s̃ra trove al Escheker; & qil respoignent illoeq̃s, auxi come ad este use renablement devant ceo temps.

* In the Printed Copies this Statute is variously intituled; "Statutum Westm̃. iiij. de Vicecomitibus & aliis de viridi cera." "Statutum Westm. 4. de Attinctis." "A Statute for Sheriffs and Green Wax." "A Statute of Attaints and Green Wax." "A Statute concerning Jurors."

Des ꝑces escourcer en jurez de vint & quatre; ꝑ ceo qe ꝑ la ley cea enarere use, Justices nalerent ꝑnt as teles jurez ꝑndre, avant ceo q̃ touz les primers jurours, q̃ furent en vie, eussent apparu devant eux en Court, et tieux jurours, dotauntz estre ateintz, voleient miels ꝑdre lour issues q̃ apparer en Court, ꝑ quei les pleintifs furent trop delaiez, & faux ꝯement rerement puny; Ordene est et establi, q̃ si les primers jurours, q̃ ꝯront en vie, ne apiergent pas en Court, devant les Justices q̃ ꝯront assignez as tieux jurez prendre, a la prime gⁿt destresce sur eux retⁱne, ou q̃ retⁱne soit qil ne ount rien ꝑ quei il pussent estre destreint, q̃ adonq̃s pⁱ lour absence ne soit pas delaie la prise de la jure; Sauvee & gardee, en totes autres choses, le ꝑces en tieles jurez use cea en arere.

Ꝛ dilcis & fidelibꝫ suis Henr̃ le Scrop̃ & sociis suis, Justic̃ nr̃is ad plita coram nob̃ tenend̃ assigñ, Saltm. Quedam Statuta, ꝑ nos in pliamento nr̃o apud Westm̃ in octabis Sc̃i Mich̃is pxio ꝑt̃itis convocato, de assensu ꝓlatoꝝ, Comitū, Baronū, & tocius Cōitatis regni nr̃i ibidem existenciū, ad cōem utilitatē populi ejusdem regni edita, vob̃ mittimꝰ sub sigillo nr̃o consignata; Mandantes quatenꝰ statuta illa coram vob̃ publicari, & ea in om̃ibꝫ & singulis suis articulis, qⁿtū ad vos ꝑtinet, firmiꝑ teneri fac̃. T.R. apud Westm̃ iiij. die Junii.

Eodem modo mand̃ est subscriptis videlt;

Justic̃ de Banco.

Thes̃ & Baroñ de Scⁿcio.

II. Of Juries of Twenty-four.

CONCERNING [Process to be awarded[1]] in Juries of Twenty-four, because that by the Law hitherto used, the Justices have not taken such Juries until all the first Jurors which were alive did appear before them in Court, and those Jurors doubting to be attainted, would rather loose their Issues than appear in Court, by means whereof the Plaintiffs were greatly delayed, and false Oaths seldom times punished; It is therefore ordained and established, that if the first Jurors which shall be living, appear *not in* Court before the Justices which shall be assigned such Juries to take, at the first grand Distress upon them returned, or that Return then be made, that they have nothing whereby they may be distrained, that then by their absence [there be no delay made of the Jury;[2]] observing in all other things the Process in such Juries heretofore used.

THE King to his well beloved and trusty Henry Scrope and his Fellows, our Justices assigned to hold Pleas before Us, Greeting. Certain Statutes, by Us in our Parliament assembled at Westminster in the Octave of St. Michael last past, with the Assent of the Prelates, Earls, Barons, and all the Commonalty of our Realm there being, to the general weal of the People of the said Realm, made, We do send to you sealed under our Seal; Commanding, that the said Statutes you do cause to be published before you, and the same in all and singular their Articles, as much as to you belongeth, to be firmly kept. Witness the King at Westminster the Fourth day of June.

In the same manner it was commanded to the underwritten; viz.

The Justices of the Bench.

The Treasurer and Barons of the Exchequer.

[1] *the shortening of Process*

[2] *the taking of the Jury be not delayed;*

Anno 15° EDWARDI, II. A.D. 1321 & 1322.

Exilium Hugonis le Despens' patris et filii.*

THE EXILE OF HUGH LE DESPENSER FATHER AND SON.

Ex Rot. Claus. 15 Ed. II. m. 14, in Cedula.

AL Honr̃ de Dieu & de Seinte Esglise & de nr̃e Seignr̃ le Roi, & au ꝑfit de lui & de son roialme, e a pees & quiete meintenir en son poeple, & pⁱ meintienement del estat de la corone, lui mustrent ꝓlatz, Countes, Barouns, & les autres piers de la ꝛre, & Cōmune du Roialme, countre Sir Hugh le Despenꝰ le fitz & Sir Hugh le Despenꝰ le piere; q̃ come le dit Sir Hugh̃ le fitz, a plement a Everwyk, fust nome e assentu destre en loffice de Chaumbleyn nr̃e Seignr̃ le Roi, de ꝟir en cel office come affereit; a queu plement fust auxint assentu q̃ ꝺeins ꝓlatz, e autres grauntz du Roialme, demurreient ꝑs du Roi ꝑ sesouns del an pⁱ mieux conseiller nr̃e Seignr̃ le Roi, santz queux nul grosse bosoigne ne se deꝟoit faire, le dit Sir Hugh le fitz, attret a lui Sir Hugh son pere, q̃ ne fust nient assentu ne acorde en plement a demurer ensi ꝑs du Roi, e entr̃e eux deux acrochaunt a eux real poer sur

TO the Honour of God and of Holy Church, and of our Lord the King, and for the profit of Him and his Realm, and for maintaining Peace and Quiet among his People, and for the Preservation of the Estate of the Crown; the Prelates, Earls, Barons, and the other Peers of the Land, and the Commonalty of the Realm, shew unto Him, against Sir Hugh le Despenser the Son, and Sir Hugh le Despenser the Father; That Whereas the said Sir Hugh the Son at the Parliament of York was named and assented to be in the Office of Chamberlain of our Lord the King, to serve in such Office as it appertained thereunto; At which Parliament it was also assented to, that certain Prelates and other Great Men of the Realm should remain near the King for certain seasons of the year, for the better counselling of our Lord the King, without whom no weighty business should be done; the said Sir Hugh the Son drew unto him Sir Hugh his Father, who was not assented to nor accorded in Parliament, to remain also near the King; and, between them both, accroaching to themselves Royal Power over

Proceedings in the Parliament at York, 12 Ed. II.

Accroaching of Royal Power by the Despensers.

* This Award of Exile was first printed in *Secunda Pars Veterum Statutorum* 1532: It is inserted in *MS. Cott. Claud. D. II*, and in many other Manuscript Collections of Statutes: It is now printed from a Schedule annexed to the Close Roll of this Year, intituled in the Margin "Revocacio & adnullacio ꝓcessus contª Hugonē le Despenꝰ seniorem & Hug̃ le Despenꝰ juniorem filii" The Injuries done to the Despensers, are there detailed; this Award of Exile is recited at length, as made in the Parliament summoned at Westminster in three Weeks after the Nativity of Saint John the Baptist, in the beginning of the Fifteenth Year of this Reign; the Errors in the said Award are alleged, and the Award is declared to be annulled by the King with the Assent of Parliament. This Judgement in Parliament is noticed in the Statute for revoking the Pardon granted to the Pursuers of the Dispensers, printed in page 185, &c. from the Statute Roll.

the King, his Ministers, and the Guidance of his Realm, to the Dishonour of the King, the Impoverishment of the Crown, and the Destruction of the Realm, of the Great Men, and of the People, they committed the evil Deeds under-written, in compassing to estrange the Heart of our Lord the King from the Peers of his Land, so that they might have between them two, the sole Government of the Realm.

Bill made by the Despensers, for restraining the Power of the Crown.

IN the first place, That Sir Hugh le Despenser the Son was despiteful against the King, and upon that Despite made a Bill, upon which Bill he desired to have in alliance Sir John Giffard of Brymmesfeld, Sir Richard de Grey, and others, for the purpose of leading the King by violence to act according to his will, so that nothing was remiss in him that he had not accomplished it. The Tenor of which Bill follows underwritten. "Homage and the Oath of Allegiance is more by reason of the Crown, than by reason of the Person of the King, and it bindeth itself more unto the Crown than unto the Person; and this appears in that before the Estate of the Crown hath descended, no Allegiance is belonging to the Person; wherefore if the King by chance be not guided by Reason, in right of the Crown, his liege Subjects are bound by the Oath made to the Crown to guide the King and the Estate of the Crown back again by reason, and otherwise the Oath would not be kept. Now were it to be asked, how they ought to guide the King? Whether by Course of Law, or by Violence? By Course of Law a Man will not be able to get Redress, for he will have no Judges but such as are the King's, in which case if the Will of the King be not according to Reason, he certainly will have only Error maintained and confirmed; Wherefore it behoveth, in order to save the Oath, that when the King will not redress the matter and remove that which is hurtful to the People at large, and prejudicial to the Crown, it is to be determined, that the thing be removed by Violence, for He is bound by his Oath to govern the People and his Liege Subjects, and his Liege Subjects are bound to govern in Aid of Him, and in his Default."

Their withdrawing the King from his personal Duties.

AND also by their Covin, and evil Practices, they led and evil counselled our Lord the King, so that, with respect to his personal presence, which he ought in duty to shew to the Great Men and his People, and with respect to the Favours and Right about which they requested him to answer them, he did nothing, except at the Will and Humour of the said Sir Hugh and Sir Hugh; at once withdrawing the King from his Duty against his Oath, and the Hearts of the Great Men and the People from their Liege Sovereign.

Refusing Intercourse between the King and his Nobles.

ALSO they, the same Persons, by their false Covin would not suffer the Great Men of the Realm, nor the good Counsellors of the King, to speak with nor approach the King, in order well to advise him, nor the King to speak with them, except in the presence and the hearing of the said Sir Hugh and Sir Hugh, or the one of the two, and at their will, and according to their humour, and such things as they pleased; estranging the Great Men and the good Counsellors of the King from their good will towards their Liege Sovereign, and accroaching to themselves Royal Power, Mastery, and Sovereignty over the person of the King, to the great Dishonour and Peril of the King, and of the Crown, and of his Realm.

Removing of good Ministers and Justices; and appointing others.

ALSO they, the same Persons, for the purpose of succeeding in their wicked ends and desires, to the Disherison of the Great Men of the Land, and the Destruction of the People, removed the good and sufficient Ministers who had been appointed by Assent, and of their covin put in false and evil Ministers, who would not suffer Right to be done; and Sheriffs, Escheators, Constables of Castles, and others in the King's Offices, neither suitable to the King nor to the People; and caused to be appointed Justices not learned in the Law of the Land, to hear and determine things touching the Great Men and the People of the Realm, such as the said Sir Hugh the Father, Sir Ralph de Basset, Sir Ralph Camoys, and Sir John Inge, and others their special allies and sworn friends; and by the covin of such Ministers and their false procurers and favourers, they wrongfully caused to be indicted by false Jurors of their alliance the Peers of the Land, that is to say, the Earl of Hereford, Mr. John Giffard of Brymmesfeld, and Mr. Robert of Mohaut and other good Men

Indicting certain Peers and others.

le Roi, ses Ministres, & le guiement de son Roialme, a deshon^{r} du Roi, enblemissement de la corone & destruccion du roialme, des g^{a}ntz & du poeple, & fesoient les malveistees southescrites, en cumpassaunt de esloigner le quoer nr̃e Seign^{r} le Roi des piers de la ꝑre, p^{r} avoir entre eux deux soul gouvnement du Roialme.

En p^{l}mes q̃ Sir Hugh̃ le Despenꝑ le fitz fust corouce devꝑs le Roi, & sur ceo curouce fist une bille, sur la quele bille il voleit aver en alliaunce de ꝺ Joh^{n}n Giffard de Brymmesfeld & Sir Richard de Gray & dautres, de aver mene le Roi ꝑ aspte a faire sa volunte, issi q̃ en lui ne remist mie qil ne le eust fait. La tenur de la bille sensuist southescrit. Homage & ꝑment de ligeaunce est plus ꝑ resoun de la Corone q̃ ꝑ resoun de la psone le Roi, & plus se lye a la Corone q̃ a la psone; & ceo piert q̃ avant q̃ lestat de la corone soit descendu, nule ligeaunce est a la psone regardaunte; dount si le Roi ꝑ cas ne se meigne ꝑ resoun, en dreit de la Corone, les liges sont liez ꝑ ꝑment fait a la Corone de remenir le Roi & lestat de la Corone ꝑ reson, & autrement ne ꝑroit point le ꝑment tenuz. Ore fait a demaunder coment lem deit mener le Roi, ou ꝑ sute de lei, ou ꝑ aspte; ꝑ sute de ley ne lui poet hōme pas redrescer, car il navꝑoit pas Juges, si ceo ne soit dep le Roi, en quieu cas si la volentie le Roi ne soit acordaunte a resoun, si navꝑoit il forsq̃ errour meintenu & conferme; dount il covient p^{r} le ꝑment sauver, q̃ q^{a}nt le Roi ne voet chose redrescer, ne oster qest p^{r} le cōmun poeple malveise & damagouse & p^{r} la Corone, ajuger est q̃ la chose soit oste ꝑ asprete, qil est lie ꝑ son ꝑment de governer le poeple & ses liges, et ses liges sont lyes de govꝑner en eide de lui & en defaute de lui.

Et ausint ꝑ lour covine & malveistees menerent & mal conseilleront nr̃e Seign^{r} le Roi, siq̃ sa ꝑsence, quele il doit de son dever monstrer a les g^{a}ntz e a son poeple, e a les g^{a}ces e droit q̃ eux lui requerreient respoundre, ne le fist point forsq̃ a la volunte e a la taille les ditz Sir Hugh & Sir Hugh; en ostaunt le Roi de seon dever contre son ꝑment, & les quoers des grauntz & du poeple de lour Seign^{r} lige.

Auxint meisme ceux ꝑ lour faus covine ne soeffrirent pas les g^{a}ntz du Roialme, ne les bons Conseillers le Roi, pler ne approcħ au Roi p^{r} lui bien conseiller, ne le Roi pler a eux forsq̃ en la ꝑsence & loy les ditz Sir Hugh̃ & Sir Hugh̃, ou lun de eux, & a lour volentie & solonc lour taille, & chose qil voleient; en rebotant les g^{a}ntz, & les bons conseillers le Roi de leur bone volente vers lour Seign^{r} Lige, & acrochaunt a eux real poer mestrie & soveinete sur la psone le Roi, a g^{a}nt deshon^{r} & ꝑil du Roi, de la Corone & de son Roialme.

Aussint meismes ceux p^{r} atteindre a lour malveistes & coveteises, a deshitaunce des g^{a}ntz de la ꝑre & destruccion du poeple, osterent hons & covenables Ministres q̃ furent mis ꝑ assent, & mistrent autres faus & malveis de lour covin, q̃ ne soefrirent droit estre fait; et Viscountes, Eschetours, Conestables des Chasteux & autres en les Offices du Roi, nient covenables p^{r} le Roi ne p^{r} le Poeple; & fesoient mettre Justices nient conissantz en ley de ꝑre, doier & ꝑminer les choses tochauntz les g^{a}ntz & le poeple du Roialme, sicome le dit Sir Hugh le pere, Sir Rauf Basset, Sir Rauf de Camoys & Sir Joh^{n}n Inge, & autres lour alliez & jurez especialment; & ꝑ covine de tieux Ministres, & lour faus pcurous & fautours, fausement fesoient enditer ꝑ faus jurours de lour alliaunce les piers de la ꝑre, cest asavoir, le Counte de Hereford, monꝺ Joh^{n}n Giffard de Brymmesfeld & monꝺ Robt de Mohaut & autres bons gentz

p coveitise daver lour ꝑres; & issint ceo q̃ dust estre a la meintenaunce de la pees & des bons, & punissement des malveis, menerent a deshitaunce des g'ntz & destruccion du poeple.

Auxint fausement & malveisement conseillerēt nr̃e Seign' le Roi daler as chivaux & as armes vers les pties de Gloucestr̃, & lui firent chivacher, & ses gentz armez en celes pties a coure sur ses bons gentz, contre la fourme de la g'nt chartre & lagard des piers de la ꝑre; & issint p lour faus & malveis conseills voleient aver meu guerre en la ꝑre, a destruction de Seinte Esglise & du poeple p' lour querele ppre.

Ausint la ou le Counte de Hēford & le Seign' de Wygemor p comaundement du Roi assignez daler de guerre sur Thlewelyn Bren, q̃ fust leve encountre le Roi en Glamorgan, tantcome les ꝑres furent en la mein nr̃e Seign' le Roi p la morte le Counte de Gloucestr̃, le dit Thlewelyn se rendi a les ditz Seign's a la volunte le Roi en sa grace, & ceux Seign's lui p̃mistrent bone g'ce, & sur tieu condicioun le receurent, & lui liv̄erent a nr̃e Seign' le Roi, & nr̃e Seign' le Roi en tieu fourme lui receut; & puis tant come les ditz Seign's furent hors de ꝑre, les ditz Sir Hugh̄ le fitz & f Hugh̄ le pere, qavoient acroche roial poer s'come desus est dit, pristrent le dit Thlewelyn & lui menerent a Kaerdyf, puis q̃ Sir Hugh̄ le fitz fust seisi de sa p'partie illoeq̃s, & p lour covine empnaunt jurisdiccion, la ou nul en ceo cas ne poeient p resoun aver, lui firent illoeq̃s treiner, pendre, decoller & quartroner felonousement, p' chose faite en temps le Roi, & ensi p'pernaunt Roial poair & jurisdiccion q̃ appendeit a la Corone; en deshitaunce de la Corone, & a deshon' de nr̃e Seign' le Roi, & des ditz Seign' sde Hēford & de Mortimer, & en malveis ensaumple & g'nt pil p cas en temps avenir. Et ausint malcounseillerent nr̃e Seign' le Roi de prendre en sa mein les ꝑres & les chateux fe Hugh̄ Daudele le fitz, & le forjuggerent de ses ꝑres, sauntz due pces solonc ley de ꝑre, p covetise davoir accroche au dit Sir Hugh̄ le Despens̄ le fitz celes ꝑres; & p autres faus compassementz compassa davoir les ꝑres monf Rog̃ Damory; p' aver atteint p tieux faux compassementz al entier du Countie de Glouc̃, en deshitaunce des piers de la ꝑre.

Aussint la ou nr̃e Seign' le Roi p ses ꝑres patentes desouth son g'nt seal, en plein plement a Westm̃, g'nta a Counte de Warr̃, q̃ si mort lui avensit, ses executours puissent aver ses ꝑres tantq̃ lage son heir, le queu g'nt puis la mort le dit Counte le Roi conferma, a son plement a Nicole, a la requeste & p assent de piers de la ꝑre, le dit Sir Hugh̄ le pere, p meintenaunce, abette & pcurement le dit Sir Hugh son fitz, fist nr̃e Seign' le Roi repeler ceu fait santz enchesoun, & bailler au dit Sir Hugh̄ le piere p' son ppre pfit la garde de meismes ceux ꝑres, & issint defesaunt p lour malveis conseil ceo q̃ le Roi lour aveit graunte en ses plementz, p son bon conseil & p assent des piers de la ꝑre; a deshon' du Roi, & encountre droit & resoun.

Auxint meismes ceux ne ount pas suffert nr̃e Seign' le Roi prendre renables fins des piers de la ꝑre, & autres q̃ sount entre son fee, auxicome ad este usee eintz ces hours, mes p' coveteise de atteindre a tieux ꝑres, p poer real a eux accroche, ount fait mettre en tieux bosoignes noun dues empeschementz, surmettauntz les ꝑres estre forfaitz, come de monf Joh'n de Moubray p' les ꝑres de Gower & des autres, a damage e deshon' nr̃e Seign' le Roi, & countre la lei de la ꝑre,

through covetousness to obtain their Lands; and so that which ought to be for the Maintenance of Peace and of the good, and the Punishment of the bad, they perverted to the Disherison of the Great Men and the Destruction of the People.

Inciting Civil War.

ALSO, they falsely and wickedly counselled our Lord the King to go with Horse and Arms towards the parts of Gloucester, and made him traverse the country with Horsemen, and make incursions with his armed men in those parts upon his good People, contrary to the Form of the Great Charter, and the Award of the Peers of the Land; and so by their false and evil Counsels they would have moved a War in the Land, to the Destruction of Holy Church and of the People, for their own proper Quarrel.

Arrest and Murder of Llewellyn Bren.

ALSO, Where the Earl of Hereford and the Lord of Wygmore, by command of the King being assigned to make War against Llewellyn Bren, who had risen against the King in Glamorganshire, as soon as the Lands were in the hands of the King by the death of the Earl of Gloucester, the said Llewellyn surrendered himself to the said Lords, at the King's pleasure for his favour, and those Lords promised him Pardon, and upon such condition they received and delivered him to our Lord the King, and our Lord the King in such form received him; and then as soon as the said Lords were out of the Land, the said Sir Hugh the Son and Sir Hugh the Father, who had accroached Royal Power as above is stated, took the said Llewellyn, and carried him to Cardiff, seeing that Sir Hugh the Son was then seised thereof for his share, and by their covin usurping Jurisdiction in a case where they could not reasonably have any, they there caused him to be drawn, hanged, beheaded, and quartered as a Felon for a thing done in the time of the King; and in this wise they usurped Royal Power and Jurisdiction which belonged to the Crown, in Disherison of the Crown, and to the Dishonour of our Lord the King, and of the said Lords of Hereford and Mortimer, and in evil example and great danger perchance in times to come. And also they evil counselled our Lord the King to take into his hands the Lands and Chattels of Sir Hugh D'Audeley the son, and they forejudged him of his Lands without due Process according to the Law of the Land, through covetousness, to obtain for Sir Hugh le Despenser the Son those Lands; and by other false compassings he compassed to have the Lands of Sir Roger Damory; so that they might obtain by such false compassing the whole of the Earldom of Gloucester, to the Disherison of the Peers of the Land.

Seizing the Lands of others.

Repealing the King's Grant to the Earl of Warwick.

ALSO, Where our Lord the King, by his Letters Patent under his Great Seal in full Parliament at Westminster, granted to the Earl of Warwick, that upon his death his Executors should hold his Lands until the Age of his Heir, the which Grant, after the death of the said Earl, the King confirmed at his Parliament at Lincoln, at the Request and by the Assent of the Peers of the Land, the said Sir Hugh the Father by the maintenance, abetting, and procurement of the said Sir Hugh his Son, caused our Lord the King to repeal the said Deed without cause, and to deliver to the said Sir Hugh the Father, for his own profit, the Wardship of the same Lands; so defeating by their evil counsel that which the King had granted in his Parliaments by his good Counsel, and by the Assent of the Peers of the Land; to the Dishonour of the King, and against Right and Reason.

Imposing unreasonable Fines and Forfeitures.

ALSO they, the same Persons, have not suffered our Lord the King to take reasonable Fines of the Peers of the Land, and others who are within his Fee, in such manner as had been used until these times; but through covetousness to obtain those Lands, by Royal Power accroached to them, have interposed in such matters undue impediments, surmising the Lands to be forfeited, as of Mr. John de Mowbray for the Lands of Gower, and others, to the Damage and Dishonour of our Lord the King, and against the Law of the Land,

in Disherison of the Great Men and others of the Realm, in this wise causing the King to deny Right in Parliament, contrary to his Oath.

Preventing Justice from being done; as to Lands of the Templars, &c.

ALSO through their evil covetousness, and by Royal Power accroached to them, they would not suffer our Lord the King to hear, or do right to the great Men of the Land, upon the Proof which they made to him, for him and for themselves, of the Disherison of the Crown, and of themselves touching the Lands which belonged to the Templars; and so, by Royal Power unto them accroached, have they led the King, his Council, and his Prelates, that of Things touching them or their Allies, through their Undertakings and Embracery, Right cannot be done except at their Pleasure, to the Damage and Dishonour of our Lord the King, and the Peril of his Oath, and the Disherison and Destruction of many Great Men, and of the People of the Realm. And also they who have been chosen to Bishopricks, Abbies, Priories, who ought of Right to be received of our Lord the King, where they have been in due Form elected, have not been able to approach to our Lord the King, nor to speak with him to request his favour until they have made Fine and Tribute to Sir Hugh the Son at his pleasure; and no one who had any Favour to ask of our Lord the King, could obtain the Favour before he had made Fine to him. Besides that, where John de Lachelegh and others were sentenced to prison for a Trespass which they had committed against the Lady de Merk, to the Damage of the said Lady, of one thousand and five hundred Marks, whereof they were convicted before Mr. Robert de Saddyngle and his companions, Justices assigned to hear and determine that Trespass, and the said John was in the prison of Colchester by the aforesaid Sentence, Sir Hugh the Son, accroaching unto himself Royal Power, carried away the said John out of Prison, against the Law of the Land, without his having made Satisfaction unto the said Lady of the Damages aforesaid, and made him sell his Land to him, and thereof levy a Fine. The which Evil Deeds above written are notorious and true, as is found by the examination of the Earls, Barons, and other Peers of the Land.

as to receiving Bishops, &c.

Receiving Fines for Grants, &c.

Award of the Exile of the Despensers

WHEREFORE We, Peers of the Land, Earls and Barons, in the Presence of our Lord the King, do award, that Sir Hugh le Despenser the Son, and Sir Hugh le Despenser the Father, be disherited for ever, as Disheritors of the Crown, and Enemies of the King and his People; and that they be utterly exiled out of the Realm of England, without returning at any time, unless it be by the Assent of our Lord the King, and by the Assent of the Prelates, Earls, and Barons, and that in Parliament duly summoned. And We do give them Port at Dover, and none other place elsewhere, to void and pass out of the Realm of England, between this and the Feast of the Beheading of St. John the Baptist next ensuing, that day included. And if the said Sir Hugh and Sir Hugh do remain in the Realm of England beyond the said Day which is given to them to void and pass out, as above is said, or if after the said Day they do return, then be it done unto them, as Enemies of the King and of the Kingdom

en deshitaunce des g^{a}ntz, & des autres du Roialme, ensi fesant le Roi vier droit en plement, en countre son ꝑment.

Auxint p lour malveis coveitise, & p poer real a eux accroche, ne soefrerent mie nr̃e Seign^{r} le Roi de oier & [ne [1]] droit faire as g^{a}ntz de la ꝑre, sur la demustraunce q̃ il fesoient a lui, p^{r} lui & p^{r} eux, de la deshitaunce de la corone, & de eux tochaunte les ꝑres q̃ furent as Templers; & issint, p poer real a eux accroche, ount il mene nr̃e Seign^{r} le Roi, son counseil & ses ꝑlates, q̃ des choses tochauntes eux ou lour alliez, ount empris & embrace p eux q̃ droit ne poeit estre fait forq̃ a lour volunte, & a damage e a deshon^{r} de nr̃e Seign^{r} le Roi, e pil de son ꝑment & deshitaunce & destruccion de plusours g^{a}ntz du poeple de son Roialme. Et auxint les Eslitz as Evesches, Abbeies, Priories, q̃ devoient estre de droit resceu de nr̃e Seign^{r} le Roi, la ou il sont en due fourme eslutz, ne poeint approcher a nr̃e Seign^{r} le Roi, ne ove lui ꝑler de quere sa g^{a}ce, tantq̃ il avoient fait fin e frette a Sir Hugh̃ le fitz a sa volunte; ne nul q̃ eust g^{a}ce a quere de nr̃e Seign^{r} le Roi, ne poeit a nule g^{a}ce atteindre, avant qil avoit fait fin a lui. Estre ceo la ou Joh^{a}n de Lachelegh̃ & autres furent agardez a la p^{r}sone, p^{r} un trespas qil avoit fait a la Dame de Merk, a damage de la dite Dame de Mil & C. Mars, dount il furent atteintz devant monſ Robt de Saddyngle & ses cumpaignouns Justices assignetz a oier & ꝑminer ceu trespas, & le dit Joh^{a}n fust en la p^{r}sone de Colecestr̃ p lagarde susdit, Sir Hugh̃ le fitz, accrochaunt a lui real poer, amena le dit Joh^{a}n hors de la p^{r}sone contre, ley de ꝑre, eintz qil avoit faite gre a lavauntdite Dame des damages avauntditz, e lui fist vendre sa ꝑre a lui & lever sur ceo une fin. Les queux malveistes susescrites sont notoirs & verrais, sicome trove est p examinement des Countes Barons & autres piers de la ꝑre.

Par quei no^{s} piers de la ꝑre, Countes & Barouns, en la ꝑsence nr̃e Seign^{r} le Roi, agardoms q̃ Sir Hugh̃ le Despenꝭ le fitz & Sir Hugh̃ le Despenꝭ le piere soient deshiteez a toutz jours, come deshitours de la Corone, & enemis du Roi & de son poeple; & qil soient del tut exles hors du Roialme Dengleꝑre, sauntz retourner en nul temps, si ceo ne soit del assent nr̃e Seign^{r} le Roi, & del assent des ꝑlatz Countes & Barouns, & ceo en plement duement somouns. Et les donoms port a Dovre & nule pt aillours a voider & passer hors du Roialme Dengleꝑre, entre ci & la feste de la decollacion de Seint Joh^{a}n le Baptistre ꝑchein avenir, ceu jour acounte. Et si les ditz Sir Hugh̃ & Sir Hugh̃ demorgent en le Roialme Dengleꝑre, outre le dit jour q̃ done lour est de voider & de passer come desus est dit, ou q̃ aꝑs le dit jour retournent, adonqes soit fait de eux come des enemis du Roi & du Roialme.

[1] Interlined on the Roll.

A STATUTE

REVOKING THE PARDON GRANTED TO THE PURSUERS OF THE DESPENSERS.[1]

Ex magno Rot. Stat. in Turr. Lond. m. 32 d.

COME en le plement nr̃e Seign[r] le Roi Edward, filz au Roi Edward, somons a Westmost̃ a treis semeins de la Nativite Seint Joh[a]n le Baptistre lan de son regne xv[me], a la priere Humfrei de Bohun, adoncs Counte de Hereford, & des plusours autres g[a]ntz du roialme, feut assentu & acorde, q̃ nul de quel estat ou condicion qil fut, por alliance queu temps q̃ ceo estoit fait, p ſment, escrit, ou en autre manere, ne por chivauche fait a banere desplie des armes le Roi, ou dautri, ne por prise, occupacion, ne detenue des Chasteux, Villes, Manoirs, t̃res, tenementz, biens ou chateux, prise, emp[r]sonement, ou raunconer des gentz de la ligeaunce le Roi, ou dautres homicides, robies, felonies, ou autres choses q̃ porreient estr̃ notees a trespass ou felonies faites contre la pees le Roi, p les ditz g[a]ntz, lour alliez ou lour aherdantz, enp[r]suant & destruant Hugh le Despenſ le fil & Hugh le Despenſ le piere, & lour alliez & aherdantz, puis le p[r]mer jour de Marz lan de regne le dit nr̃e Seign[r] le Roi xiiij[me], jesqes le xix jour Daust pchein suant, ne fut appellez, ne chalengez, pris, nemp[r]sonez, empechez, molestez, ne grevez, ne en jugement menez, p le Roi ne p autre a la seute le Roi, ne a seute dautri, qi qil fust, en la Court le Roi, ne nule part aillours, mes q̃ des touz tieux trespas & felonies fuissent quites: Et puis, au dit nr̃e Seign[r] le Roi, a son plement somons a Ev̄wyk a tres semeins de la Pask, lan de son regne xv[me] susdit, monstr̃ lui fut p Prelatz, Countes, Barons, Chivalers des Countez, & la Cōmun de son Roialme, illoq̃s assemblez p son mandement, q̃ le ditz estatut, ordenaunce, p[r]veance, & acquitance estoient peccherousement & torcenousement faitz & g[a]ntez, contre reison & cōmune droit[r], & contre le ſment nr̃e Seign[r] le Roi qil fit a son coronement; et q̃ lassent q̃ eux fesoient as ditz estatut, ordenance, p[r]veance, & acquitance, estoit fait por doute de la g[a]nte force q̃ les ditz Counte de Hereford & les autres g[a]ntz entrealliez sodeinement menerent au dit plement de Westmost̃, as chivaux & armes, en affrei & baissement de tut le people, & q̃ eux ne eussent as ditz estatut, ordenance, p[r]veance, & acquitance assentu, en nule manere, si noun p encheson de la dite force out[r]iouse & noundue; p quoi y prierent nr̃e Seign[r] le Roi, q̃ por salut de sa alme et de lour almes, il feit venir devant lui en dit plement, somons & tenuz a Ev̄wyk, la tenour des dites estatut, ordenance, porveance, & acquitance, & les fait examiner, repeller, & de tut anentir. Et nr̃e Seign[r] le Roi, a lour requeste, fit venir en dit plement devant lui la tenour des ditz estatut, ordenance, p[r]veance, & acquitance, en les poles q̃ sensuent.

[2] COME nadgaires plusours g[a]ntz du roialme s[r]meissent a Sire Hugh̃ le Despenſ le fiz, & a Sire Hugh̃ le Despenſ le piere, plusours mauveisteez p eux faites, contre lestat de nr̃e Seign[r] le Roi, & de sa corone, & a desheritance des g[a]ntz, & destruccion du poeple; et a p[r]suire celes mauveisteez, & atteindre

WHEREAS in the Parliament of our Lord King Edward Son of King Edward, summoned at Westminster in Three Weeks after the Nativity of St. John the Baptist, in the Fifteenth year of his Reign, upon the prayer of Humphry de Bohun then Earl of Hereford, and of divers other great Men of the Realm, It was assented and accorded, "That no Man, of what Estate or Condition soever he were, for any Alliance whensoever made by Oath, Writing, or otherwise, nor for Ridings made with Banners displayed of the King's Arms or others, nor for the seizing, occupying, or detaining of Castles, Towns, Manors, Lands, Tenements, Goods or Chattels, or the seizing, imprisoning, or ransoming Persons in the King's Allegiance, or other Homicides, Robberies, Felonies, or other Things which might be noted for Trespasses or Felonies, done against the King's Peace by the said great Men, their Allies or Adherents, in pursuing and destroying Hugh le Despenser the Son, and Hugh le Despenser the Father, their Allies and Adherents, since the First Day of March, in the Fourteenth Year of the Reign of our said Lord the King, until the Nineteenth Day of August next ensuing, should be appealed or challenged, taken or imprisoned, impeached, molested, or grieved, nor into judgement brought by the King, nor by any other at the King's Suit, nor at the Suit of any other whomsoever, in the King's Court nor any where else; But that of all such Trespasses and Felonies they should be acquitted:" And afterwards, unto our Lord the King, at his Parliament summoned at York, in Three Weeks of Easter, in the abovesaid Fifteenth Year of his Reign, it was shewed by the Prelates, Earls, Barons, Knights of Shires, and the Commonalty of his Realm, there assembled by his command, that the said Statute, Ordinance, Provision, and Acquittance were sinfully and wrongfully made and granted, against Reason and common Right, and against the Oath of our Lord the King which he made at his Coronation; and that the Assent which they gave to the said Statute, Ordinance, Provision, and Acquittance, was given for dread of the great Force which the said Earl of Hereford, and the other great Confederates suddenly brought to the said Parliament of Westminster, with Horse and Arms, in Affray and Abasement of all the People; and that they would not in anywise have assented to the said Statute, Ordinance, Provision, and Acquittance, but by reason of the said outrageous and unjust Force; Wherefore they there besought our Lord the King, that for the Salvation of his Soul and of their Souls, he would cause to be brought before him, in the said Parliament, summoned and holden at York, the Tenor of the said Statute, Ordinance, Provision, and Acquittance, and would cause them to be examined, repealed, and wholly made void. And our Lord the King at their Request did cause to be brought before him in the said Parliament, the Tenor of the said Statute, Ordinance, Provision, and Acquittance, in the Words that here follow.

Recital of Indemnity in an Act made in the Parliament at Westminster, in Three Weeks after Midsummer 15 Edw. II. for Alliance; and Force, and for seizing Castles, in Prosecution of the Despensers.

Petition in the Parliament held at York, in Three Weeks after Easter, 15 Edw. II.

Tenor of the Act passed in the first-mentioned Parliament of the Fifteenth Year.

"WHEREAS, of late, divers Great Men of the Realm surmised against Sir Hugh le Despenser the Son, and Sir Hugh le Despenser the Father, divers Crimes by them done against the Estate of our Lord the King and his Crown, and in Disherison of the Great Men, and destruction of the People; and for the prosecuting those Crimes, and for the obtaining

Crimes surmised against the Despensers; and Force used against them and their Adherents.

[1] The Text of this Statute was first printed, with the Title as above, in Hawkins's Edition of the Statutes.

[2] The Statute here recited is entered on the back of the Statute Roll, on the Membrane immediately preceding that on which this present repealing Statute is entered. It is defaced with cross Lines, and the following Memorandum is subjoined. "Le dit acord e estatut est anenti e chauncele p force de un estatut q̃ se fit au plement le Roi a Ev̄wyk, a tres semaines de Pasch, lan de son regne quinzime: le quel estatut est desuth escrit."—It agrees very nearly with the Recital thereof given in this Repealing Statute. In the Printed Copies, and in *MS. Cott. Claud. D.II.* and many other Manuscripts the Statute recited is given as a separate, preceding, Statute of this Year, intituled, "Ne quis occasionetur pro Feloniis seu Transgress̃ factis in prosecutione H. le Despenser Patris & Filii."

by force that which could not be obtained by Process of Law, inasmuch as the aforesaid Hugh and Hugh had accroached unto themselves Royal Power in divers manners, the said Great Men did combine together by Oaths, Writings, and otherwise, without the leave of our Lord the King; and afterwards in prosecuting the said Hugh and Hugh, and their Allies adhering unto them, the said Great Men and others made an Array with Banners displayed, both of the King's Arms and their own, and seized and occupied Castles, Towns, Manors, Lands, Tenements, Goods, and Chattels, and also seized and imprisoned Persons of the King's Allegiance and others, some of whom they ransomed, and others they slew; and many other Things did, in destroying the said Hugh and Hugh and their Allies and others, in England, in Wales, and in the Marches, some whereof might be called Trespasses, and others Felonies: And the said Hugh and Hugh, in the Parliament of our Lord the King, summoned at Westminster in Three Weeks after the Feast of the Nativity of St. John the Baptist, in the Fifteenth Year of his Reign, for the said Crimes were forejudged and banished the Realm, by Award of the Peers of the Land (*a*); And the Great Men aforesaid, in the said Parliament, shewed unto our Lord the King, that the Things done in the Prosecution of the said Hugh and Hugh, for such cause of necessity, ought not to be redressed nor punished by Sentence of Law; neither could they, without causing too great Disturbance, or perchance, which would be worse, a War in the Land; And they besought our Lord the King that of all Alliances, Trespasses, and Felonies they might be quit for ever: For the benefit of Peace, and for the eschewing of War, and for assuaging Revenges and Rancours, and for making union in the Land, and that our Lord the King might the more entirely have the Hearts and Wills of the Great Men, and of his People, to maintain and defend his Lands, and to war against and destroy his Enemies; It is accorded and assented, in the said Parliament, by our Lord the King, and by the Prelates, Earls, Barons, and the Commonalty of the Realm, there assembled at the command of our Lord the King, That no Man, of what Estate or Condition soever he be, for any Alliance whensoever made by Oath, Writing, or otherwise, nor for Ridings made with Banners displayed, of the King's Arms or others, nor for the seizing, occupying, or detaining of Castles, Towns, Manors, Lands, Tenements, Goods, or Chattels, the seizing, imprisoning, or ransoming Persons in the King's Allegiance, or other Homicides, Robberies, Felonies, or other Things which might be noted for Trespasses or Felonies done against the King's Peace, by the said Great Men, their Allies or Adherents, in the Prosecution aforesaid, since the First Day of March last past, until Wednesday next after the Feast of the Assumption of our Lady, that is to say, the Nineteenth Day of August next ensuing, shall be appealed nor challenged, taken nor imprisoned, impeached, molested, nor grieved, nor into judgement brought, by the King, nor by any other, at the Suit of the King, nor at the Suit of any other whomsoever, in the King's Court or anywhere else; but that of all such Trespasses and Felonies they shall be acquitted by this Accord and Assent: Saving always to all Men, except the said Hugh and Hugh, Action and cause of Action to have and recover their Castles, Towns, Manors, Lands, Tenements, Wardships and Marriages, according to the Laws and Customs heretofore used, without Punishment in respect of the King, or recovering Damages against the Parties for the Time aforesaid. And also, It is accorded and assented that the said Great Men, if they list, for themselves, and for all others, whom they upon their Oath of Fealty made to the King, shall testify between this present and the Feast of St. Michael next ensuing, by their Letters Patent unto the King or his Chancellor, to have been of their adherence and fellowship in the

Their Exile, by Award of the Peers in Parliament.

Reasons of the Alliance and Force against them.

Indemnity for such Alliance and Force, and for seizing Castles, &c.

Saving of Rights of Action for Recovery of Castles, &c.

Charters of Pardon.

(*a*) *See the Award of the Exile, ante page* 181. *&c.*

p force, q̃ p ꝑces de lei ne poient estr̃ atteintz, por ceo q̃ les avantditz Hugħ & Hugħ avoient acroche a eux real poer en plusours maneres, les ditz g^{a}ntz se fuissent entreallez, p ꝰmentz, escritz, & en autre manere, saunz counge nr̃e Seign^{r} le Roi; et puis enp^{l}suant les ditz Hugħ & Hugħ, & lour alliez & aherdantz a eux, les ditz g^{a}ntz & autres chivachassent as baneres despliez, des armes le Roi & de lour armes, & pristrent & occuperent Chasteux, Villes, Manoirs, ꝰres, tenementz, biens, & chateux, & aussint pristrent & emp^{l}sonerent genz de la ligeance le Roi, & autres, & aucuns reindrent, & aucuns tuerent, e autres plusours choses fesoient, en destruantz les ditz Hugħ & Hugħ & lour alliez & autres en Engleꝰre, en Gales, & en la Marche, dont aucunes choses porreient estre dites trespas, & aucunes felonies; et les ditz Hugħ & Hugħ en le ꝑlement nr̃e Seign^{r} le Roi, somons a Westmoſt ꝰ a treis semeins apres la feste de la Nativite Seint Joh^{a}n le Baptistre, lan de son regne xvme, por les dites mauveistees fuissent forjugez & exilez du roialme, p agard des [- - -^{1}] pieres de la ꝰre; et les susditz g^{a}ntz, en dit ꝑlement, monstrassent a nr̃e Seign^{r} le Roi q̃ les choses faites en la p^{l}seute des ditz Hugħ & Hugħ, p tiele cause de necessite, ne devoient estr̃ adrescees ne punitz p reddour de lei, ne ne poient saunz faire trop̃ g^{a}nt troble, ou p cas, q̃ pis ꝰroit, guerre en la ꝰre; & priassent a nr̃e Seign^{r} le Roi q̃ de touz alliances, trespas, & felonies, fuissent quites a touz jours: Por bien de pees, & p^{r} guerre eschuire, & por ires & rancours assuager, & por unite faire en la ꝰre, & q̃ nr̃e Seign^{r} le Roi peusse le plus entierement aver les quers & les voluntees dez g^{a}ntz, & de son poeple, por ses ꝰres meintenir & defendre, & ses enmis guerroier & grever; Acorde est & assentu, en dit ꝑlement, p nr̃e Seign^{r} le Roi, & p Prelatz, Countes, Barons, & la Cōmune du roialme illoq̃s a mandement le Roi assemblez, q̃ nul de quel estat ou condicion q̃ soit, p^{r} alliance queu temps q̃ ceo soit fait, p ꝰment, escrit, ou en autre manere, ne p^{r} chivache fait a banere desplie, des armes le Roi ou dautre, ne p^{r} prise, occupacion, ou detenue, des Chasteux, Villes, Manoirs, ꝰres, tenementz, biens ou chateux, prise, emp^{l}sonement, ou raunceoner des gentz de la ligeance le Roi, ou dautres homicides, robies, felonies, ou autres choses q̃ porront estr̃ notees a trespas ou a felonies, faites contr̃ la pees le Roi, p les ditz g^{a}nz, lour alliez, ou lour aherdantz, en la p^{l}suite avantdite, puis le primer jour de Marz drein passe, jesq̃s au Meskerdy ꝑchein aꝰs la feste del Assumpcion nr̃e Dame, cest asavoir le xix jour D'aust ꝑchein suant, soit [appellez ne chalengez, pris nemp^{l}sonez, empechez, molestez, ne grevez, ne en jugement menez,^{2}] p le Roi ne p autr̃, a la suite le Roi, ne a la suite dautri, qi qil soit, en la court le Roi ne nule ꝑt aillours; mes q̃ de touz teux trespas & felonies soient quites, p cest acord & assent; sauve touz jours, a touz forpris les ditz Hugħ & Hugħ, accion & reson daꝰ & recoꝰir lour Chasteux, Villes, Manoirs, ꝰres, Teñ, gardes & mariages, solonc les leis & les usages cea enarere usees, saunz punissement deꝰs le Roi, ou damage recoꝰir deꝰs ꝑties du temps avantdit. Et aussint est acorde & assentu, q̃ les ditz g^{a}ntz, sil voillent, por eux, & por touz autres queux eux, en le ꝰment de lur feaute faite au Roi, vodront tesmoigner, entre cy & la feste Seint Michel ꝑchein avenir, par lour ꝰres patentes au Roi ou a son Chanceller, qil furent de lour aherdance & lour compaignie en la

[1] *An Erasure, on which* tuz *appears to have been written.—The cancelled Act, preceding, reads* des pieres.

[2] *The cancelled Act reads* 'appelle, chalenge,' *&c. all in the singular.*

dite psuite, eient chartres sev̄ales desouth le g̃nt seal le Roi, en la fourme susdite, des choses susdites. (*b*)

Les queux estatut, ordenance, p̃veance, & acquitance, illoq̃s rehercez & examinez, en p̃sence des Prelatz, Countes, Barons, Chivalers des Counteez, & le cōmun du roialme, au dit plement Dev̄wyk esteantz, trove fu q̃ ceux estatut, ordenance, p̃veance, & acquitance se fesoient contr̃ reson & cōmune droit, & contr̃ le ȝment le Roi, fait a son coronement, & contre la tenour de la g̃nt chartre des Franchises Dengleter̄re, la quele est afferme p̃ sentence de comēge, et en la quele est contenuz, q̃ le Roi ne viera, ne delaira, a nuly droit ne justice; et q̃ la dite acquitance estoit g̃ntee plus en baudour & favour de meffesours & destourbours de la pees, & de felonies, trespas, & mauveistees faire, q̃ por remedie & adrescement de tort: Par quoi nr̃e Seigñr le Roi, eant regarde as les choses susdites, & a ceo q̃ le dit Counte de Hereford, & les autres entrealliez, vindrent au dit plement de Westmost̄ nounduement, as chivaux & as armes, & a tute lour force, de la quele il ne fu pas devant aparceu; et ensement q̃ la dite acquitance se fit a displeisance & g̃nt deshon̄r de lui, & enblemissement de sa real dignite, & en offense dautri droit, et qil ne poeit adoncs arester la dite force, si sodeinement, p̃ droit faire sicome a lui appendoit; q̃ suite dautri ne devoit il ne poeit relesser, ne pdoner, saunz tort faire; et auxi chargantz le conseil & la requeste des ditz Prelatz, Countes, Barons, Chivalers des Counteez, & la Cōmune du roialme, fait en cest ptie, pur salut de sa alme & de lour almes, ét q̃ bien appendoit a lui & a sa real dignite, & devoit, si g̃nt fait torcenous & piculrous redresser duement; et ja avoit annienti & defait, par assent des Prelatz, Countes, Barons, Chivalers des Counteez, & la Cōmune du roialme, au dit plement Dev̄wyk, le dit agard fait p̃ les ditz Counte de Hereford, & les autres entrealliez, contre les ditz Hugh̄ & Hugh̄ de lour exil & desheritance, & de totes choses tochauntes le dit agard en touz pointz, p̃ jugement rendu au dit plement Dev̄wyk; & meismes ceux Hugh̄ said Prosecution, shall have Charters severally under the King's Great Seal, in the Form abovesaid, for the Matters abovesaid."

The which Statute, Ordinance, Provision, and Acquittance, being there rehearsed and examined, in the Presence of the Prelates, Earls, Barons, Knights of Shires, and the Commonalty of the Realm, at the said Parliament of York then being, It was found that the said Statute, Ordinance, Provision, and Acquittance were made against Reason and Common Right, and against the King's Oath made at his Coronation, and against the Tenor of the Great Charter of the Liberties of England, which is confirmed by Sentence of Excommunication, and wherein it is contained that the King shall not deny or delay unto any Man Right or Justice; and that the said Acquittance was made more for the emboldening and favouring of Malefactors and Disturbers of the Peace to commit Felonies, Trespasses, and Crimes, than for Remedy and Redress of Wrong: Wherefore our Lord the King, having regard to the Matters abovesaid, and to this, that the said Earl of Hereford and the other Confederates came to the said Parliament of Westminster unlawfully, with Horse and Arms, and all their Force, whereof he was not before informed; and likewise that the said Acquittance was made to his Displeasure and great Dishonour, and to the blemishing of his Royal Dignity, and in injury of the Right of other Men; and that he could not at that Time withstand the said Force upon the sudden, to do Right as it behoved him; that the Suit of another, he ought not, neither could he, release nor pardon, without doing wrong: and also considering the Counsel and the Request of the said Prelates, Earls, Barons, Knights of Shires, and the Commonalty of the Realm, in that Behalf made, for the Salvation of his Soul and of their Souls; and that it well belonged to him and his Royal Dignity, and that he ought, duly to redress so great dangerous and wrongful a Deed; and that he had already adnulled and defeated, by Assent of the Prelates, Earls, Barons, Knights of Shires, and the Commonalty of the Realm, at the said Parliament of York, the said Award, made by the said Earl of Hereford and the other Confederates, against the said Hugh and Hugh, as to their Exile and Disheritance, and as to all Things touching the said Award, in all Points, by Judgement rendered at the said Parliament of York (*c*); and the same Hugh

The recited Act declared contrary to Magna Carta, &c.

Reasons for Repeal of recited Act.

Recital that the Award of the Exile had been annulled, by Judgement in the said Parliament at York.

(*b*) For Entries of Grants of several such Charters to Humphry de Bohun Earl of Hereford, and to many others, under this Provision, See *Rot. Pat.* 15 *Ed. II. P.* 1. *m.* 17, 18. All these Entries are defaced with cross lines, and the following Memorandum is subjoined:—"Totes les tres daquitance susescrites sont anentes e chauncelees p̃ force de un estatut q̃ se fit au plement le Roi a Ev̄wyk a tres sameines de Pasch̄, lan de son regne q̃nzime; le quel estatut est enroulle en le roulle destatutz en le mois de Maii lan q̃nzime avantdit."

The following is the Form of the First Charter entered on the Roll. In the Printed Copies, and in *MS. Cott. Claud. D. II.* and many other Manuscripts, a similar Form is inserted, immediately after the Act recited in the Text, as a separate Instrument, with the Title "Forma Cartarum prosequentibus Hug̃ le Despenser patrem & filium concessarum," and beginning "Edwarde p̃ la grace de Dieu Roi Dengliterre, Seignour Dirlāde, et duc Daquitaine a touz ses baillieſes," &c.

"Le Roi a touz ses Baillifs & foiaux as queux cestes p̃sentes tres vendront saluz. Sachiez q̃ come en cel p̃sent nr̃e plement tenu a Westmonster as trois semeins de la Nativite Seint Joh̄n le Baptistre p̃chein passe, p̃ nous & p̃ Prelatz Countes Barons & la cōmune de nr̃e Roiaume, illoeq̃s a nr̃e maundement assemblez, acorde soit & assentu q̃ nul de quel estat ou condicion qil soit p̃r alliaunce queu temps q̃ ceo soit faite p̃ ȝment, escrit, ou en autre maṅe, ne p̃r chevauchee faite a banere desplie de noz armes ou dautre, ne p̃r p̃se, occupacion, ou detenue des Chasteux, Villes, manoirs, t̃res, tenementz, biens, ou chateux, prise, emprisonement ou raunzoner des gentz de nr̃e ligeance, ou dautres homicides, robies, felonies, ou autres choses, q̃ p̃ront estre notez a trespas, ou a felonies faites contre nr̃e pees p̃ plusours g̃ntz de nr̃e Roiaume lour alliez & lour aerdantz, en une p̃seute q̃ nadgaires fesoient p̃r c̃teines enchesons contre Sire Hugh̄ le Despenc̄ le fiuz & Sire Hugh̄ le Despenc̄ le piere, puis le p̃mer jour de Marz darreyn passe jesqes au Mesqerdi p̃schein ap̃s la feste del Assumpcion nr̃e dame, cest asav̄ le xix jour Daugst p̃schein suant, soit appele ne chalange, pris, nemprisone, empesche, moleste, ne greve, ne en jugement mene, p̃ nous ne p̃ autre a nr̃e sute ne a la seute dautri, qi qil soit, en nr̃e Court ne nule p̃t aillours, mes q̃ de touz tieuz trespas & felonies soient quites p̃ cel acord & assent; Sauve touz jours a touz, forpris les ditz Hugh̄ & Hugh̄, accion & reson davoir & recov̄ir lour chasteux, villes, manoirs, t̃res, tenemenz, gardes, & mariages, solonc les leys & les usages cea enarere usees, saunz punissement devers no⁹, ou damage recov̄ir dev̄s ptie du temps avantdit; sicome en les ditz acord & assent plus pleynement est contenuz: Nous voillantz meismes ceux acord & assent estre tenuz & gardez en toutes choses, Voloms q̃ nr̃e foial & loial Humfrei de Bohoun, Counte de H'ford & de Esseẍ un des ditz g̃ntz p̃r alliaunce, queu temps q̃ ceo soit faite, p̃ ȝment, escrit, ou en autre maṅe, ne p̃r chose faite en la dite p̃suite dedeinz le dit temps, ne soit appele, ne chalange, pris nemprisone, empesche, moleste ne greve, ne en jugement mene p̃ nous ne p̃ autre a nr̃e seute, ne a seute dautri, qi qil soit en nr̃e Court, ne nule p̃t aillours contre la fourme des ditz acord & assent; Mes q̃ de toutz tieux trespas & felonies soit quites solonc la forme des acord & assent avantditz. En tesmoignance des queux choses nous avoms fait faire cestes noz tres patentes. Done a Westmons̄ le vintisme jour Daugst. p̃ ip̃m Regē & Consiliū. dupp̃."

(*c*) See *Rot. Claus.* 15 *Ed. II. m.* 14. *in Cedula*, quoted in page 181, for the whole Process and Judgement revoking and annulling the Award of the Exile.

and Hugh he had remitted and reconciled fully unto his Allegiance and Peace, and adjudged them unto, and to stand in, the same Estate as they had and were in, before the said Award made against them, at the said Parliament of Westminster, in all Points, for Causes reasonable, lawful, and sufficient: Inasmuch as the said Hugh and Hugh, their Allies and Adherents, and others unto whom the said Earl of Hereford and the other Confederates did the said Felonies and Trespasses, whereof they ought to have their Recovery according to the Laws and Usages of the Realm, by suing against all that have trespassed against them, as abovesaid, could not duly make such Suit, if the said Statute, Ordinance, Provision, and Acquittance of Felonies and Trespasses should not be repealed and annulled; and likewise our said Lord the King, considering that the said Statute, Ordinance, Provision, and Acquittance were wrongfully made by Force as abovesaid, and not with his will; whereof he did at that Time make Protestation, at Westminster, before certain Prelates, Earls, Barons, and other Great Men, that the said Statute, Ordinance, Provision, and Acquittance were not granted or assented to, of his good Will: Our Lord the King, for the Causes abovesaid, and for the taking away the bad example of such Evils in Time to come, in his said full Parliament at York, of his Royal Power, with the Advice and Assent of the Prelates, Earls, Barons, Knights of Shires, and the Commonalty of the Realm, there assembled by his command, the said Statute, Ordinance, and Provision, and all the Acquittances to whomsoever made by the said Statute, Ordinance, and Provision, Accord and Assent, doth repeal and annull for ever, as a Thing done against Reason, Law, and the Custom of his Realm, and in prejudice of Him and his Crown and of his Royal Dignity; and doth will and command that whatsoever is contained in the said Statute, Ordinance, and Provision, and whatsoever is enrolled in any of his Courts, of the said Statute, Ordinance, Provision, and Acquittances, shall be cancelled and annulled for ever: and that every Man shall have his Action, Suit, and as much as the Law giveth him, notwithstanding the Statute, Ordinance, Provision, Assent, Accord, and Acquittances aforesaid; and that by the same Statute, Ordinance, Provision, Assent, Accord, or Acquittance, no Man shall be protected, aided, nor defended in any Point.

Repeal of the recited Act of Indemnity.

The King to his Justices of the Bench, Greeting: A certain Statute, Ordinance, Provision, and Acquittance lately, in our Parliament assembled at Westminster in Three Weeks from the Nativity of St. John the Baptist last past, upon the Prosecution of Humphry de Bohun then Earl of Hereford and Essex, and other Great Men of our Realm, made, wherein the Suit of other Men was by Us improvidently remitted, and other manifold Errors intervened, In this our present Parliament assembled at York, in Three Weeks from the Day of Easter last past, by the common Council of the Prelates, Earls, Barons, and other Nobles of our Realm there being, We have revoked and annulled; And the same Revocation and Adnullation, We have thought good to transmit to you under our Seal; Commanding, that the same before you, in the Bench aforesaid, you do cause to be read, published, and in the Rolls of the said Bench to be inrolled; and the aforesaid Statute, Ordinance, Provision, and Acquittance, which We lately sent unto you, under our Seal to be published and enrolled in the Bench aforesaid, You do cause to be cancelled and annulled. Witness the King at York, the Twentieth Day of May.

By the King Himself.

Like Letters are sent unto Henry Scrope and his Fellows, the King's Justices assigned to hold Pleas before the King. Witness the King as above.

Like Letters are sent unto the Treasurer and Barons of the Exchequer. Witness the King as above.

& Hugñ avoit remis, & reconseile pleinement a sa foi & a sa pees, & ajuge a tiel estat q̃ eux avoient, e en tiel estat come eux estoient, avant le dit agard fait contre eux au dit plement de Westmonst, en touz pointz, p causes resonables, loials, & suffisantes: P quoi les ditz Hugñ & Hugñ, lour alliez & aherdantz, & autres as queux les ditz Counte de Hereford, & les autres entralliez, firent les dites felonies & trespas, des queux il deivent av lour recovir, solonc les leis & les usages du roialme, a suire vs touz q̃ a eux ount trespasse, come est susdit, tiele suite ne porront duement faire, si les ditz estatut, ordenance, p'veance, & acquitance des felonies & trespas, ne fuissent repellez & anintiz; et ensement le dit nr̃e Seign' le Roi, regardant q̃ les ditz estatut, ordenance, porveance, & acquitance, torcenousement se fesoient par force, come est susdit, & noun pas de sa volonte, dount il fit ptestacion adoncs a Westmonst en presence de aucuns Prelats, Countez, Barons, & autres g'ntz, q̃ de son gre les ditz estatut, ordenance, p'veance et acquitance ne estoient g'ntez ne assentu: Nr̃e Seign' le Roi, p les causes susdites, & p' toller malveis example de tieux mals du temps avenir, en son dit plein plement a Evwyk, de son poer real, p le conseil & lassent des Prelatz, Countes, Barons, Chivalers des Countez, & le cõmun du roialme, illoq̃s assemblez p son mandement, les ditz estatut, ordenance, & p'veance, & totes les acquitances a q̃cumq; psones faites p les ditz estatut, ordenance, & p'veance, acord & assent, repele & aninti a touz jours, come chose faite contre reson, lei, & usage de son roialme, & en pjudice de lui & de sa corone, & de sa reale dignite; et voet & cõmaunde, q̃ q'nt q̃ est contenuz en les ditz estatut, ordenance, & p'veance, & q'nt q̃ est enroule en les places de sa court, de les ditz estatut, ordenance, p'veance & acquitances, soit chauncelez & anintiz por touz jours: et q̃ chescun eit sa accion, suite, & q'nt q̃ lei lui donne, noun contreestantz les estatut, ordenance, p'veance, assent, acord, & acquitances avantditz; et q̃ p cele estatut, ordenaunce, porveaunce, assent, acord, ou acquitance, nul ne soit covert aide ne defendu, en nul point.

P Justic̃ suis de Banco saltm. Quedam Statutū, Ordinac̃oem Pvidentiã & Acquietanciã, nup in pliamento nr̃o apud Westm̃, a die Nativitatis Sc̃i Johis Bapt̃e px° pterito in tres septimanas, cõvocato, ad psecuc̃oem Humfridi de Bohun tunc Com̃ Hereford & Essex, & alioz magnatū de regno nr̃o fc̃a, in quibz secta alioz p nos minus pvide remissa fuit, et alii errores multiplices intervenerūt, in psenti pliamento nr̃o apud Eboz, a die Pasche px pterito in tres septimanas cõvocato, de cõi consilio Prelatoz, Com̃, Baronū, & alioz pdum regni nr̃i ibidem existenciū, revocavim9 & adnullavim9; easdemq; revocac̃oem et adnullac̃oem vob̃ sub sigillo nr̃o duxim9 t'nsmittend; Mandantes qd eas coram vob̃ in Banco pdc̃o legi, publicari, & in rotulis ejusdem Banci irrotulaṙ ac pdc̃a Statutū Ordinac̃oem Pvidenciã & Acquietanciã, que nup vob̃ misim9 sub sigillo nr̃o, in Banco pdc̃o publicand & irrotuland, cancellari & adnullari fac̃. T.P. apud Eboz xx. die Maii. p ipm Regem.

Eodem modo scribit' Henr̃ le Scrop & sociis suis, Justic̃ P ad plita coram Rege tenend, assigñ. T.P. ut sup'.

Eodem modo scribit' Thes̃ & Baroñ de Sc'cio. T.P. ut s'.

Revocatio novarum Ordinationum.

REVOCATION OF THE NEW ORDINANCES.*

Ex magno Rot. Stat. in Turr. Lond. m. 31.

COME nr̃e Seignr le Roi Edward, fitz au Roi Edward, le sezime jour de Marz Lan de son reigne tiercz, al Honr de Dieu & pr le bien de lui & de son roialme, eust gr̃ntez as ꝑlatz, Countes & Barons de son roialme, queux peussent eslire ẽteines ꝑsones des Prelatz Countes & Barons, & des autres loiaux, queux lour semblereient suffissantz de appeller a eux, pr ordener & establir lestat del Hostel nr̃e dit Seignr le Roi, & de son roialme, solonc droit & reson, & en tiele manꝛe q̃ lour ordenances feussent faites al Honr de Dieu, & al Honr & ꝑfit de seinte eglise, & al Honr du dit Roi, & a son ꝑfit & au ꝑfit de son Poeple solonc droit & reson, & le ꝑement q̃ nr̃e dit Seignr le Roi fist a son Corounement: Et Lercevesq̃ de Caunterbirs Primat de tot Engletr̃e, Evesq̃s, Countes, & Barons, a ceo eslutz, eussent fait ãscunes Ordenaunces q̃ comencent issint: EDWARD par la gr̃ce de Dieu Roi Dengletr̃e, Seignr Dirland, & Ducs daquitaigne, as touz ceux as queux cestes Lr̃es vendrount, Saluz. Sachez q̃ come le xvjme jour de Marz, Lan de nr̃e reigne tiercz, al honr de Dieu &c. & finissent issint, Doñ a Loundr̃s le quint jour doctobr̃ Lan de nr̃e regne quint.

Les queles ordenances le dit nr̃e Seignr le Roi, a son plement a Everwyk a treis semeignes de Pask̃, Lan de son regne quinzisme, par Prelatz, Countes, & Barons, entre queux furent touz le plus des ditz ordenours, qi adoncs furent en vie, & ꝑ le Cõmun du Roialme iloeq̃s ꝑ son maundement assemblez, fist rehercer & examiner: Et pr ceo q̃ ꝑ cel examinement trove feust en dit plement, q̃ ꝑ les choses issint ordenees le poair real nr̃e dit Seignr le Roi feust restreynt, en plusors choses, countre devoir, en blemissement de sa seignrie reale, & encountre lestat de la Coronne; et auxi pr ce q̃, en temps passe, ꝑ tieles ordenances, & purveaunces, faites ꝑ les suggetz sr le poair real des auncestr̃s nr̃e Seignr le Roi, troubles & guerres sount avenuz en Roialme, ꝑ quoi la ꝑre ad este en pil; acorde est & establi au dit plement ꝑ nr̃e Seignr le Roi, & ꝑ les ditz Prelatz, Countes, & Barons, & tote la Cõmune du Roialme, a cel plement assemblez, q̃ totes les choses ꝑ les ditz ordenours ordenees, & contenues en les dites ordenaunces, desoremes pr le temps avenir cessent, & ꝑdent noun, force, ꝑtu, & effect a touz jours; Les estatutz & establissementz faitz duement ꝑ nr̃e Seignr le Roi, & ses auncestres, avaunt les dites ordenances, demorauntz en lour force: et q̃ desore james en nul temps, nule manꝛe des ordenaunces, ne pr̃veaunces faites ꝑ les Suggetz nr̃e Seignr le Roi, ou de ses Heirs, ꝑ quele poair ou cõmission q̃ ceo soit, sur le poair real de nr̃e Seignr le Roi, ou de ses Heirs, ou countre lestat nr̃e dit Seignr le Roi, ou de ses Heirs, ou countre lestat de la Coronne, soient nulles, & de nule manꝛe de value ne de force; Mes les choses q̃ ꝑount a establir, pr lestat de nr̃e Seignr le Roi, & de ses Heirs, & pr lestat du roialme & du poeple, soient tretes, accordees, establies, en ꝑlementz, ꝑ nr̃e Seignr le Roi, & ꝑ lassent des Prelatz, Countes & Barouns, & la cõmunalte du roialme; auxint come ad este acustume cea enarere.

WHEREAS our Lord King Edward, Son of King Edward, on the Sixteenth Day of March in the Third Year of his Reign, to the Honour of God, and for the Weal of Himself and his Realm, did grant unto the Prelates, Earls, and Barons of his Realm, that they might choose certain Persons of the Prelates, Earls, and Barons, and of other lawful Men whom they should deem sufficient to be called unto them, for the ordaining and establishing the Estate of the Household of our said Lord the King, and of his Realm, according to Right and Reason, and in such Manner that their Ordinances should be made to the Honour of God, and to the Honour and Profit of Holy Church, and to the Honour of the said King, and to his Profit and to the Profit of his People, according to Right and Reason, and to the Oath which our said Lord the King made at his Coronation: And the Archbishop of Canterbury, Primate of all England, the Bishops, Earls, and Barons thereunto chosen, did make certain Ordinances which begin thus: Recital of the King's Commission, 16th March, 3 Edw. II. for making certain Ordinances.

"EDWARD by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitain, to All to whom these Letters shall come Greeting. Know Ye, That Whereas on the Sixteenth Day of March in the Third Year of our Reign, to the Honour of God, &c." and which end thus "Given at London the Fifth Day of October in the Fifth Year of our Reign." Ordinances made in 5 Edw. II.

The which Ordinances our said Lord the King, at his Parliament at York, in Three Weeks from Easter in the Fifteenth Year of his Reign, did, by the Prelates, Earls, and Barons, among whom were the more part of the said Ordainers who were then living, and by the Commonalty of his Realm, there by his Command assembled, cause to be rehearsed and examined: And forasmuch as upon that Examination it was found, in the said Parliament, that by the Matters so ordained the Royal Power of our said Lord the King was restrained in divers Things, contrary to what ought to be, to the blemishing of his Royal Sovereignty, and against the Estate of the Crown; And also, forasmuch as, in Time past, by such Ordinances and Provisions, made by Subjects against the Royal Power of the Ancestors of our Lord the King, Troubles and Wars have happened in the Realm, whereby the Land hath been in Peril, It is accorded and established, at the said Parliament, by our Lord the King, and by the said Prelates, Earls, and Barons, and the whole Commonalty of the Realm, at this Parliament assembled, That all the Things, by the said Ordainors ordained and contained in the said Ordinances, shall from henceforth for the Time to come cease and shall lose their Name, Force, Virtue, and Effect for ever; The Statutes and Establishments duly made by our Lord the King and his Ancestors, before the said Ordinances, abiding in their Force: And that for ever hereafter, all manner of Ordinances or Provisions, made by the Subjects of our Lord the King or of his Heirs, by any Power or Authority whatsoever, concerning the Royal Power of our Lord the King or of his Heirs, or against the Estate of our said Lord the King or of his Heirs, or against the Estate of the Crown, shall be void and of no Avail or Force whatever; But the Matters which are to be established for the Estate of our Lord the King and of his Heirs, and for the Estate of the Realm and of the People, shall be treated, accorded, and established in Parliaments, by our Lord the King, and by the Assent of the Prelates, Earls, and Barons, and the Commonalty of the Realm; according as it hath been heretofore accustomed.

Examination of the said Ordinances in the Parliament Three Weeks after Easter 15 Edw. II.

The said Ordinances shall cease and become of no Effect.

Ordinances or Provisions concerning the King and the Realm, made by Subjects, shall be void: and none such shall be made except by the King, Lords, and Commons, in Parliament.

* This Statute was first printed in Hawkins's Edition of the Statutes.—For the Ordinances 5 Edw. II, which are repealed by this Statute, See ante, page 157—168 and the Notes there.

The King to the Sheriff of York, &c. Greeting. Whereas, in our Parliament assembled at York in Three Weeks from Easter in the Fifteenth Year of our Reign, We have caused to be rehearsed and examined by the Prelates, Earls, Barons, Nobles, and Commonalty of the said Realm there being, certain Ordinances of late made by certain Prelates, Earls, and Barons of our Realm thereunto chosen; And for certain Causes, upon that Examination found, it hath been accorded and enacted, at the said Parliament, by Us and the said Prelates, Earls, Barons, Nobles, and Commonalty, that all Things by the aforesaid Ordainors ordained, and in the aforesaid Ordinances contained, shall for the Time to come cease, and shall lose their Name, Strength, Virtue, and Effect for ever; The Statutes and Establishments, duly made by Us or our Ancestors, before the making of the said Ordinances, abiding in their Strength: as in the Statute in our said Parliament made upon the Premises, which We send unto you sealed with our Seal in Form Patent, is more fully contained: We do command you, strictly injoining, that the said Statute in your full County Court, you do cause to be read and published, and all and singular Matters therein contained, so much as to you belongeth, to be observed; the aforesaid Statutes and Establishments, formerly made, abiding in their Strength as abovesaid. Witness the King at York the Nineteenth Day of May.

By the King Himself.

Like Letters are sent to all the Sheriffs throughout England.

R. Vič Eboz, Saltm. Cum nos quasdam Ordinačões, p quosdam Prelatos, Comites, & Barones regni nři ad hoc electos, nup fčas, in pliamento nřo apud Eboz, a die Pasche in tres septimanas anno regni nři quintodecimo convocato, p Platos, Comites, Barones, Pces & Cõitatem dči regni ibidem existentes, recitari & examinari fečim9; et ex čtis causis, p examinačõem illam comptis, ad dčm pliamentũ nřm p nos & dčos Prelatos, Comites, Barones, Pces & Cõitatem, concordatum sit & statutum, qđ oĩa p Pdčos Ordinatores ordinata, & in ordinačõibz Pdčis contenta, p tempore futuro cessent, & nomen, vim, virtutem, & effčm amittant imppm; statutis & stabilimentis p nos vel pgenitores nřos, ante confeččõem dčaz ordinacionũ debite fčis in eoz robore pmanentibz; put in Statuto, in dčo pliamento nřo sup Pmissis edito, quod tibi mittim9 sub sigillo nřo in forma patenti consignatum, plenius continetr; tibi Pcipim9 firmit injũgentes, qđ Statutũ illud in pleno Coĩ tuo legi & publicari, & oĩa & singula in eo contenta, q'ntum ad te ptinet, fač observari; Pdčis statutis & stabilimentis, antea editis, in eoz robore pmanentibz, ut est dčm. T. R. apud Eboz xix. die Maii.

p ipm R.

Eodem modo scribit' singlis Vicecomitibz p Angl.

Anno 16° EDWARDI, II. A.D. 1323.

Statutum de forma mittendi Extractas ad Scaccarium.

A STATUTE FOR ESTREATS OF THE EXCHEQUER.*

THE King, to our well beloved Clerks William de Ayremynne, Keeper of the Rolls of our Chancery, and his Companions, Keepers of our Great Seal, Greeting. We send you a Form contained in a Scroll inclosed within these, by Us and our Council ordained, according to which the Estreats of our Chancery, which shall be annually delivered at our Exchequer, ought hereafter to be made. And We do will and charge you, that the same Form Ye do cause to be entered in your Rolls, and henceforth to be kept and holden in making the Estreats aforesaid. Moreover We send You another Scroll inclosed within these our Letters, in the which is contained how Justices and Inquirors ought to deliver their Estreats to our said Exchequer. And We charge you, that, that being understood which is contained in the same Scrolls, You do cause to be sent our Writs to the Justices and to others, to do that which therein is contained, in due Form. Given under our Privy Seal at Cowyk the Ninth Day of June in the Sixteenth Year of our Reign.

Form and Order of Estreats from Chancery into the Exchequer.

Because of the Trouble which hath been heretofore upon the Accompts of Sheriffs in the Exchequer, because that in the Estreats of the Rolls of the Chancery, which have been yearly delivered into the Exchequer, the Accounts thereof have been mingled, the King willeth therefore, that from henceforth the Estreats be made in manner following.

Ex magno Rot. Stat. in Turr. Lond. m. 30, d.

LE Roi a nos chs clercs William de Ayremynne Gardein de Roules de nře Chauncellerie, & a ses compaignons Gardeins de nře g'nt seal, Salus. Nous vo9 enveoms une forme, remembre en un escrouet enclos de deins cestes, p no9 & nře conseil ordeine, selonc la quele les estretes de nře Chauncellerie q̃ srount annuelment liveres a nře Escheker deivent desore estre faites. Et voloms, & vo9 chargeoms q̃ meisme cele forme facez entrer en vos roulles, & desoremes garder & tenir, enfesaunt les estretes avandites. A ceo vo9 enveoms un autre escrouet, enclois de deinz mesmes nos tres, en la quele est contenuz coment Justices & enquerrours deivent liver lour estretes a meisme nře Escheker. Et vous mandoms, q̃ entenduz ceo qest contenuz en meismes les escrouetz, facez maunder nos brefs, as Justices et as autres, de faire ceo q̃ leins est contenuz en due forme. Done souz nře pive seal a Cowyk, le ix. jour de Juyn lan de regne xvjme.

¶ Pur la desturbance qil y ad eu en ces houres s' les acomptes des Viscountes al Escheker, de ceo q̃ en lestrete des roulles de la Chauncellerie, qe ad este annuelment live al Escheker, les Comptes ount este entremellez, le Roi voet q̃ desore lestrete soit fait en la manle q̃ sensuit.

* These Titles are from the Printed Copies and Translations. The Statute is entered on the Back of the Membrane which contains the first Statute of the 17th Year of King Edward II.—In *MS. Harl.* 5022, this Statute is attributed to the 13th Year of King Edward I. and reference is made to this Inrollment on the Back of the Statute Roll.

¶ Primerement seient entrez les fines q̃ plus sovenerment avenent, come p' briefs avoir, & totes autres fins ou la sũme en deners est expresse; & totes tieux manᵹe de fines dun Countee, de tut lan, seient escritz p eux en un lieu, et p ordre de p'orite, selonc ceo q̃ les fines ꝺrount entrez en les roulles; & auxint des touz les autres Countees generalment, q'ntq̃ touche ensuit un Countee; & p' plus prestement aver recours as roulles, si rien en temps avenir soit en enwer de sũme ou dautre ῆre trove en lestrete, soit la date de jour, q'nt la fine fust faite, entre en lestrete liᵛe al Escheker.

¶ Et ꝑcheinement apr̃s tieux fines seient entrez chartres, ῆres patentes ou cõmissions, dunt ferme ou rente annuele est du au Roi, ou acomptes seient arendre, e ceo p comptes seᵛalment en prest manᵹe.

¶ Item apres ceo les homages & feautes, dount reliveez sount a demaunder, & les briefs de diem clausit extr̃, & autr̃s choses ou sũme nest mie exꝑsse, ne annuele demaunde afaire.

¶ Item en meisme lestrete seient entrez les chartres de doun, dount le Roi doit ꝺvice avoir; q̃ la Court peusse [aviser '] avisement, q'nt as relefs, & le ꝺvice maunder a temps.

¶ Item seient entrez en meisme lestrete les nouns de touz ceaux, q̃ cel an aᵛount este assignez a chose oier, enquere, ou faire, dount fyn, anᵹciment, ou autre ꝑfit appendaunt au Roi, p'ra p cas ou devera sourdre, issi q̃ hõme peusse saᵛ a qi hõme deᵛa maunder, p' les estretes deliᵛer.

¶ Et a la fine del estrete les reddisseisines, e sourcharge de pasture, come en ces houres.

¶ Pur ceo qe Justices, enquerrours, ou aut̃s qe sount assignez a diᵛses bosoignes oier et deliᵛer en reaume, deivent annuelment deliᵛer al Escheker lour estretes des fines & anᵹciementz, faitz et taxez devant eux, & de totes aut̃s choses de meismes les bosoignes issauntz, q̃ au Roi appendent, issint qil empuisse de ceo estre duement respondu: Et sovent avient qe plosours tieles estretes sount si longement detenuz, avant qeles seient liᵛetz au dit Escheqer, qe le Roi en ad eu de ceo, p plosours enchesons, grauntz damages; & en temps soun piere ordeine feust, entre autres choses, q̃ Justices & Enquerrous, qi qils feussent, & aut̃s q̃ eussent estretetz a liᵛer al Escheker, les eussent fait liᵛer, de an en an, a la Seint Michel; Et Justices de Eyre meintenaunt lour estretes de meisme le Eyre, si tost come eux le eussent fini; soit desore tel ordeinement tenu, & p brief exꝑssement maunde et les Justices de lun Baunk, & de lautre, & Gardein de la Foreste de cea Trente & de la, q̃ chescun de eux le face, de chose q̃ touche lour office.

¶ Item soit le Seneschal de Houstiel le Roi, qest ou p' temps serra, comaunde & charge deꝑ le Roi, a deliᵛer annuelment au Tresorier del Escheqer, qi est ou p' temps serra, estretes distinctement & pleynement faites, des fyns, anᵹciementz, issues, forfaitz, & de totes manᵹes dautres ꝑfitz, sourdauntz al oeps le Roi, des pleez ou quereles, tenuz & oyz devant le dit Seneschal & Mareschaux du dit Houstiel. Et q̃ ceo soit fait deux feth en lan, a la Cluse Pasq̃, & lendemeyn de Seint Michel.

¶ Itē soit charge & comande le Clerk du Marchee, & des Mesures, a deliᵛer ses estretes de ceo q̃ tuche son office en la fourme desusdite.

[1] avoir *Old Printed Copies.*

First shall be entered the Fines which most commonly happen, as to have Writs, and all other Fines wherein the Sum of Money is expressed; and all these manner of Fines of one County for the whole Year shall be written by themselves in one place, and by order of priority, according as the Fine shall be entered in the Rolls; and also of all other Counties generally, whatsoever shall happen [to follow in any one County:[1]] and for the more ready recourse to the Rolls, if that any Thing in Time to come shall be doubted of, either of the Number or other Letter in the Estreat, the Date of the Day when the Fine was made shall be entered into the Estreat, delivered into the Exchequer. 1. Fines.

And after those Fines, then shall be entered Charters, Letters Patent, and Commissions, [in which[2]] any Farm or yearly Rent is due to the King, or [wherein[2]] any Accompts are to be made, and these shall be written by Counties severally after the readiest manner. 2. Charters, Letters-Patent, Commissions.

After these shall be written Homages and Fealties, whereof the Reliefs are to be demanded, and Writs of Diem clausit extremum, and other Things, whereof the Sum is not expressed, nor any yearly Demand to be made. 3. Homages, Fealties.

Also in the same Estreat, shall be entered the other Charters of Gift, by which the King ought to have Service; so that the Court may have knowledge of the Times when the Reliefs and Services are to be demanded. 4. Gifts from the Crown.

And there shall be entered, in the same Estreat, the Names of all those which that Year shall be assigned to hear and inquire of, or to do any Thing, whereby Fine or Amerciament, or other Profit appertaining to the King might, percase, or ought to arise, so that [thereby Commandment may be sent to send up the Estreats of the same.[3]] 5. All other Matters whereon Fines, &c. may arise.

And in the End of the Estreat, the Redisseisins and Surcharges of Pastures, as before hath been. 6. Redisseisins, &c.

How Estreats of Fines shall be made by Justices, &c.

Because that Justices, Inquirors, and others, which are assigned [to divers business to hear and determine,[4]] ought yearly to deliver into the Exchequer their Estreats of Fines and Amerciaments, made and taxed before them, and of all other Things happening by means of those Businesses, which to the King doth appertain, so that he may of the same be duly answered: And oftentimes it happeneth that divers of those Estreats be kept back so long, before they be delivered into the Exchequer, that the King [hath by Means thereof great Loss and Damage;[5]] and in Time of his Father it was ordained, amongst other Things, that Justices and Inquirors, whatsoever they were, and all others which ought to deliver Estreats into the Exchequer, should cause them to be delivered from Year to Year at the Feast of Saint Michael; and Justices of Eyre should deliver their Estreats of their Eyre so soon as they were finished; this Ordinance shall from henceforth be kept, and by Writ expressly commanded to the Justices of both Benches, and the Warden of the Forest on this side of Trent and beyond, that every of them shall from henceforth do so of those Things as shall appertain to their Office.

Estreats shall be returned by Steward of the Household;

And the Steward of the King's House for the Time being (6) be commanded and charged [by[7]] the King, to deliver yearly to the Treasurer of the Exchequer, which is or shall be for the Time being, his Estreats, (8) perfectly made, of the Fines, Amerciaments, Issues, Forfeitures, and all manner of other Profits arising to the use of the King, by reason of the Pleas or Quarrels holden and [had[9]] before the said Steward and Marshal of the said Household, and this shall be done twice in the Year, that is to say, at [Easter and Michaelmas.[10]]

By Clerk of the Market, &c.

Item Charge and Commandment (11) be given to the Clerk of the Market and of Measures, that he deliver his Estreats for so much as appertaineth to his Office in the form abovesaid.

[1] *in succession, in each County.* [2] *whereon*
[3] *it may be known to whom Commandment should be given to deliver the Estreats.* [4] *to hear and determine divers businesses in the Realm,*
[5] *hath thereby had, on divers Occasions, great Damages;* [6] *shall*
[7] *on behalf of* [8] *distinctly and* [9] *heard*
[10] *the Close of Easter, and the Morrow of St. Michael.* [11] *shall*

Estreats returnable by Warden of the Alnage;

And the Warden of the Aulnage shall deliver yearly to the Treasurer of the Exchequer the Estreats of his Office, wherein shall be (1) contained all the Defaults which he hath found of Cloths (2) throughout the Realm, and also where, and when, and to whom the Cloths did appertain, which he found contrary to the Assize, and the Price, and to whom he hath delivered them, where and when, and by what Warrant.

By the King's Butler.

Also the Butler for the King for the Time being (3) be charged (4) that all the Wines that he shall provide for the King's use, either by himself or by his Attornies, in what Place soever it shall happen to be, that he shall make the same Provision by the View of the honestest Men in the Town where the same Purveyance shall happen to be, so that always (5) the same Purveyance may be witnessed by the View of Two of the best of the same Place. And if it happen that the same be in a Port, where are Gatherers of the King's Custom, then the same shall be testified by them.

And no Customer from henceforth shall be [deputed 6] to the Butler, so long as he shall be attendant upon the Custom. And the Butler which for the Time shall be, either by himself, or by his Deputy, shall put into a Roll all his Buyings in this manner, that is to say; how many Tuns; of whom he bought them; (7) at what Time; and by whose View.

And he shall inroll the Wines of Prisage in like manner; [how many Tuns; the Testimony of 8] the Persons of whom the Prisage was taken, where and when.

Return of Prisage by Customers.

And all the Customers of England shall be charged, according as they are assigned for the gathering of Custom, within certain Bounds, that they twice yearly shall certify the Treasurer and Barons, that is to say, at the xv. of Easter and of Saint Michael, how many Ships have arrived within their Bounds within that Time loaden with Wines, and of whence they were, and who ought them, and when they arrived and discharged, and how much Wine every Ship did bring, &c. how many Ships arrived, of which the King did take Prise of Wine; and how many Tuns, and in what Ships the King did take Two Shillings for the Tun, and none other Prise, and of how many [Tuns] he did take Two Shillings for the Tun, and also other Prise.

¶ Il le Gardein del aunage livre au Tresorier al Escheqer, annuelment, les estretes de son office, q̃ distinctement conteignent totes les defautes qil avꝰa trove p tut en reaume, en draps countre assise, & ou, & q̃nt, & a qi les draps sount, qil trove countre lassise, & le pris, & a qi il les avera liveree, & ou, & q̃nt, & p quel garaunt.

¶ Item soit le Botiller le Roi, qest oꝛ pr temps serra, charge desore q̃ tuz les vins qil prveera al oeps le Roi, p lui ou p ses attornez, en quel lieu q̃ ceo soit, qil les face prveer p vewe des bones gentz de la ville, ou la prveaunce avendra destre faite, issint tote feth q̃ au moyns la prveaunce soit tesmoigne p deux hõmes des mieuz vauez de meisme le lieu. Et sil aveigne q̃ ceo soit en port, ou il ount coillours de la custume le Roi, adonq̃ soit p eaux tesmoigne.

¶ Et ne soit nul Custumer desore lieutenaunt le Botiller, taunt come il soit entendant a la custume garder.

¶ Et face le Botiller, q̃est ou pr temps serra, p lui ou p ses lieux tenauntz, mettre en roule tutz ses achatz en ceste mañe, Cest asavꝰ; q̃ntz de toneux, de qi ou des queux achate, & ou, & q̃nt, & p vewe des queux.

¶ Item face enrouler les vyns des prises en meisme la mañe, q̃nt a nombre, & tesmoignaunce, & psones de queux la pise se avera faite, & ou, & q̃nt.

¶ Et soient chargez tuz les Custumers Dengletre, solonc ceo q̃ eux sount assignez a coiller la custume p ctеynes boundes, q̃ eux annuelment ctifient au Tresorier & Barons, deux feth en lan, a la q̃nzeine de Pasq, & a la q̃nzeyne de Seint Michel, q̃nt de niefs avꝰount arivez deinz lour boundes, deinz les tems, chargez des vins, & dount les niefs sount, & a qi eles sourt, & q̃unt eles arivont, & deschargeont, & come bien eles portent &c. & come bien des niefs arrivount, dount le Roi prent pise de vyn; & com bien de toneux, & en queux niefs dount le Roi prent deux soudz pur le tonel, & ne mie autre prise, & com bien dount il p̃nt deux soudz pr le tonel, & ja le meyns autre prise (a).

1 *distinctly* 2 *contrary to the Assize,*
3 *shall* 4 *hereafter* 5 *at the least,*
6 *Deputy* 7 *and where;*
8 *as to the Number and the Testimony, and*

(a) The following Memorandum is entered on the back of the Statute Roll, immediately after the above Statute. It is not inserted in any Printed Collection of Statutes previous to the Edition by Hawkins.

Memorand qd Magr Hugo de Ingolisma, clicus & nuncius dñi Johis divina ꝓvidencia ꝑpa xxij p ipm dñm ppm in Angl missus ad negocia sua & ecclie romane faciend, venit ad dñm nrm Regem apud Kenilworth in festo Natal dñi anno &c. decimo septimo cum bulla ipius dñi ppe clausa, dco dño Regi directa, sup recõmendacõe dci clici & nuncii sui, ac negocioꝝ sibi cõmissoꝝ, et supplicavit dco dño Regi ut sibi licenciam concederet negocia ꝓdca libe ꝓsequendi; et idem dñs Rex hita inde delibacõe petebat bullas quibꝫ dcus Hugo uti intendebat sibi & consilio suo exhiberi, quibꝫ eidem dño Regi & consilio suo p dcm Hugonem exhibitis ac tnscriptis eaꝺem tditis, dcus dñs Rex, p eo qd non fuit magnũ cõsiliũ suũ juxta se tunc temporis, dedit ꝑfato Hugoni diem essendi coram consilio suo apud Westm in Octab sci Hillar tunc px futur, et misit tnscripta illa dco consilio suo inꝑim examinanda. In dcis Octab venit dcus Hugo coram consilio dci dñi Regis apud Westm, & exãiatis pius tnscriptis ꝓdcis & contentis in eisdem p idem consiliũ inhibitum fuit sibi districte ex pte dñi Regis, ne ipe aliqua faꝺet, seu attemptaret, que in ꝓjudiciũ dci dñi Regis, seu corone sue, aut oppssionẽ populi sui cedere possent; adjecto in dca inhibicõe, qd si aliqui ꝓdecessores sui in officio sibi cõmisso aliqua fecissent, seu exꝺcuissent in ꝓjudiciũ dci dñi Regis seu Corone sue, aut oppssionem populi, qd ex hoc non assumꝺet audaciam talia faciendi, q̃m dcus Rex voluit qd ipe talia nullaten attemptaret; qd si forsitan secus faꝺet attachiaret in Cur dci dñi Regis inde responsur, tam ad sectam dci dñi Regis q̃m ad sectam alꝰius conquerentis, etiam si ꝓhibicio ꝑalis sup sic attemptandis sibi delata non fuisset; quia dce inhibicio & ꝓhibicio, sic sibi fce p dcm consiliũ sufficiũt in ꝓmissis. Et hiis dcis ꝓfatus Hugo dixit qd ꝓmissa sibi multũ placuerint, & qd cum ipe de ꝓra dci dñi nri Regis de Ducatu Aquit oriundus fuisset, & alias in ducatu de consilio ipius dñi Regis extitisset, ipe non intendebat aliqua face vel attemptare, que in ꝓjudiciũ dci dñi Regis vel Corone sue cedere possunt quoquo modo.

Anno 17° EDWARDI, II. A.D.1323 & 1323-4.

Ordinacio de Statu Tre Hib'n' f'ca.*

ORDINANCE MADE FOR THE STATE OF THE LAND OF IRELAND.

Ex magno Rot. Stat. in Turr. Lond. m. 30.

EDWARD p la g[a]ce de Dieu Roi Dengleᵵre, Seign[r] Dirlaund, Ducs Daquitaigne, a touz ceux qi cestes p̄sentes lr̄es ᵵrount ou orrount Salutz. Sachez qe a lamendement du guyement de nr̄e ᵵre Dirlaund, a plus g[a]unt pees & t[a]nquillite de nr̄e poeple en cele ᵵre, a Notingh[a]m, as oytaves del Seint Martin Lan de nr̄e regne dis septisme, p assent de nr̄e counseil illoeq̄s, sont les pointz soutzescriz assentuz & acordez, a fin q̄ eux soient tenuz & fermement gardez en meisme la ᵵre.

Primement q̄ la Justice Dirlaund, ne nul autre nr̄e Ministre en cele ᵵre, tancom ils sount en nos offices illoeq̄s, ne p'chacent ᵵre ne tenement, dedeinz les listes ou boundes de lour baillies, saunz nr̄e congie especiale; et si nul face le contrair, ceo qil a᷑ p'chace soit enc'ru & forfait a nous, & noz heirs, sauve as chiefs Seign'ages de fee ᵴvices dues & accustumez, de ᵵres & tenementz issint enc'ruz & forfaitz a noᵒ.

Item q̄ nr̄e Justice Dirlaund, ne nul de nos autres Ministres iloeq̄s, p colour de lour offices, ne p̄ignent vitailles, ne autres choses, de nuli, contre son gre, horp's en cas de necessite p[r] le cōmun p̄fit de la ᵵre; & adunq̄s q̄ ceo ce face p lavis & lassent de plus g[a]untz de nr̄e counseil, celes p̄ties, & p bref de nr̄e Chauncellerie Dirlaund, et en cas q̄ nous, ou noz heirs, [les *] cōmanderoms p brief de nr̄e Chauncellerie Dengleᵵre, ou p noz autres lr̄es.

Item q̄ nr̄e dite Justice, ne nul de noz autres ministres iloeq̄s, p colour de lour office, ne arestent nyefs, ne autres biens des estraunges, ne des privez, mes q̄ touz marchaunz & autres puissent carier bledz, & autres vitailles & marchandises hors de nr̄e ᵵre Dirlaund, jesq̄s en nr̄e roialme Dengleᵵre, & en nr̄e ᵵre de Gales, horp's en les cas susditz, fesauntz les custumes dues & useez; Issint totes voies. qil facent covenable seurte qil ne irrount, ne ne cōmunerent, od noz enemis Descoce [ne noz autres enemis [2]] si nul fuissent. Et si nul Justice, ou autre Ministre, face le contrair des choses susdites, & de ceo soit atteint, face gre au pleintif de ses damages a double, & jadumeyns soit grevement puni de᷑s nous.

Item p[r] le seal nr̄e Justice Dirlaund de chescune bille de g[a]ce, q[a]ter deniers, & p[r] lescript'e de chescune bille deux deners, desore soient pris & paiez & nient plus.

Itē de celui qest cōmaunde a la prisone, p auctorite de nr̄e Court, q[a]nt il ᵴra delivres, quatre deners soient p's p[r] le fee du Mareschal, & nient plus. Et si p cas nul veigne encountre les choses susdites, & de ceo soit ateint a nr̄e seute ou a seute de p̄tie, face gree a la p̄tie & soit grevement puni de᷑s noᵒ.

[1] le *Rot. Pat.*

* Interlined on the Statute Roll.—*Rot. Pat.* inserts.

STATUTE THE FIRST.

EDWARD by the Grace of God, King of England, Lord of Ireland, Duke of Aquitain, to all those who shall see or hear these Letters, doth send Salutation. Know you, that for the Amendment of the Government of our Realm of Ireland, and for the Peace and Tranquillity of our People of the same Land, at Nottingham, the Octaves of Saint Martin, in the Seventeenth Year of our Reign, by the Assent of our Council there being, the Points hereafter mentioned be made and agreed upon, to the Intent that they may be (1) firmly observed in the same Realm.

I. The King's Officers shall not purchase Land without Licence.

FIRST, that the Justice of Ireland, nor any other Officer of ours of the same Realm, so long as they are in our Service there, shall purchase any Land or Tenement within the List or Bound of their Bailiwicks, without our special Licence; And if any do the contrary, that which he shall purchase shall accrue and be forfeit to us and our Heirs; saving to the Chief Lord of the Fee the Services due and accustomed for the Lands and Tenements so accruing and forfeit to us.

II. Purveyance.

ALSO, that neither our Justice of Ireland, nor any other of our Officers there, by colour of their Offices, shall take Victuals, or any other Things, of any Person against his Will, but in Time of Necessity, for the common Profit of the Realm; and that then he shall do it by the Advice and Assent of the greatest Part of our Council in those Parts, and by a Writ awarded out of our Chancery of Ireland; and in such case as We or our Heirs do command by a Writ awarded out of our Chancery of England, or by other Warrants.

III. Exporting of Merchandize.

MOREOVER, that [none of our Justices,[2]] nor any of our other Ministers (3) by colour of their Office, shall (4) arrest Ships, nor other Goods, of Strangers or of our own People; but that all Merchants and others may carry their Corn, and other Victuals and Merchandises, forth of our Realm of Ireland unto our Realm of England, and unto our Land of Wales, [saving in the Case aforesaid[5]], paying the Customs due and used; so that they make good Security that they shall not go unto, nor commerce with our Enemies of Scotland, nor other of our Enemies, if any shall be. And if any Justice or other Officer do the contrary in the Things aforesaid, and be thereof attainted, he shall satisfy the Plaintiff Double Damages, and also shall be grievously punished [by us.[6]]

IV. Fees of a Bill of Grace.

HEREAFTER there shall be taken and paid for the Seal of our Justice of Ireland, for every Bill of Grace iv. d. and for the Writing of every Bill ii. d. and no more.

V. Fee of the Marshal.

AND there shall be taken of him which is committed to Prison by Authority of our Court, when he shall be delivered, iv. d. for the Marshal's Fee, and no more. And if any do offend the Ordinances aforesaid, and thereof be attainted at our Suit, or the Suit of the Party, he shall make Satisfaction to the Party, and be greviously punished [by us.[6]]

[1] *kept and*
[2] *Our said Justice,*
[3] *there,*
[4] *not*
[5] *except in the Cases after mentioned.*
[6] *on our behalf.*

* This Title is from the Margin of the Patent Roll 17 *Edw. II. P.* 1. *m.* 3. on which this Ordinance is entered. On the Statute-Roll it immediately follows the last Statute of 15 Edw. II. In the Printed Copies it is attributed to the 17th Year of King Edward I.

VI. Pardons and Protections.

AND that no Pardon from henceforth shall be granted by our Justice of Ireland, of the Suit of our Peace for the Death of a Man, nor for other Felony, nor [for flying for the same, to them[1]] which shall be accused or indicted of such Felonies; nor shall be sealed with our Seal there, without the special Commandment of Us Ourselves, under some of our Seals of England; saving that our said Justice of Ireland, and our Chancellor of Ireland, with the Advice of our Council of Ireland, may grant Pardon of Felonies committed before the Date hereof, so they shall perceive it may stand with our Honour and Profit, and Peace and Tranquillity of our People there, and with the Commandment which they have received from us: So always that there be no Pardon or Protection granted of those Felonies which shall be hereafter committed, without the special Commandment of Us Ourselves, as is aforesaid.

VII. The Sealing of Writs.

AND that none of our Officers shall receive an original Writ pleadable at the Common Law, but such as be sealed by the great Seal of Ireland, nor any Process shall be made by any other Writ, saving that by our Seal of our Exchequer of Ireland, of Things touching that Court, it shall be done as by reason it ought to be, and according as it hath been heretofore accustomed.

VIII. Adjournment of Assises of Novel Disseisin.

ITEM, that our Justice of the same Realm shall not, by his Writs or Letters, delay or adjourn any Assise of Novel disseisin before him, but in the County where he shall be present, and during that Time as he shall remain in the same County.

In Witness whereof We have caused these our Letters Patents to be made. Dated at Nottingham the Four and twentieth Day of November, the Seventeenth Year of our Reign.

For the promulgation of the Articles in the said Ordinance contained, in the Land of Ireland.

The King, to his Chancellor of Ireland for the Time being, Greeting. Certain Articles concerning Us, and the State of our Land of Ireland, and of our Officers there, by Us with the Advice of our Council ordained, We do send to you under our Seal in Form Patent; commanding that the said Articles in the Rolls of our Chancery aforesaid, you do cause to be enrolled, and the same under our Seal of Ireland, in Form Patent, to be exemplified, and to be sent to our Justices of our Land aforesaid, and to our Justices of the Bench at Dublin, and to our Treasurer and Barons of the Exchequer at Dublin, and to our other Officers in the same Land, where to you shall seem meet; giving command to them, and on our Part straitly enjoining, that all and singular the Articles aforesaid, in their Courts and Bailiwicks they do cause to be published, and so much as to them belongeth, to be observed, according to the Form of the Articles aforesaid. And that the aforesaid Justices, Treasurer, and Barons, the same Articles do in like Manner cause to be enrolled in their Rolls: Moreover We will, and do enjoin and command you, that on the Petition and Prosecution of any one, complaining of any Attempt or Attempts against the Articles aforesaid, or any of them, so often as you shall be required, under our Seal of Ireland aforesaid, as well for Us as for such Complainants, you do cause due and speedy Remedy to be applied; so that you may not be blamed for any Default, Indifference, or Neglect therein. In Witness &c. Witness the King at Nottingham the Twenty-fourth Day of November.

[1] *any Protection for him*

Item q̃ nul pdoun de la seute de nr̃e pees, [pur mort de hom̃e[1]] ne p[r] autre felonie, ne tuicion p[r] celui qi r̃a des tieux felonies rettes ou endite, ne soit fait, ne g[a]untie desore, p nr̃e Justice Dirlaund, ne seale de nr̃e seal iloeq̃s, santz especial cõmaundement de nous meismes, desouz ascuns de noz seals Dengler̃e; sauve q̃ nr̃e dite Justice, & nr̃e Chaunceller Dirlaund, ov lavisement de nr̃e Counseil Dirlaund, puissent faire pdon des felonies, faites devant la date de cestes, solonc ce q̃ p[r] nr̃e hon[r] & p̃fit, & pees & t[a]nquillite de nr̃e poeple illoeq̃s veient q̃ fait a faire, & solonc le maundement q̃ils enount de nous. Issint totes voies q̃ des felonies q̃ se ferount desore, nul pdoun se face, ne tuicion soit g[a]ntie, sanz especial cõmandement de no[9] meismes, si com desus est dit.

Item q̃ nul brief original, pledable a la cõe lei, ne soit resceu p nul de noz ministres, forsq̃ brief seale desouz nr̃e g[a]unt seal Dirlaund, ne nul pces fait p autre brief, sauve q̃ p nr̃e Seal de nr̃e Escheqer Dirlaund, des choses tochantz cele place, soit fait aussi come doit estre fait de reson, & solonc ceo q̃ cea en arere ad este acustumee. Item q̃ nr̃e Justice de la dite r̃e, p ses briefs ou l̃res, ne targe ne ajorne assise de novele disseisine devaunt lui, forsq̃ en le Conte ou il r̃a p̃sent, & tantcome il demorra en meisme le Conte.

En tesmoignaunce de quele chose nous avoms fait faire cestes noz tres ov̈tes. Doñ a Notingh̃ le xxiiij. jour de Novembr̃, Lan de nr̃e regne dis septisme.

Ex Rot. Pat. 17 *Ed. II. P.* 1. *m.* 3.

D'articulis in dca Ordinac̃ contentis, in r̃a Hibñ publicandis.

R. Cancellar̃ suo Hibn, qui p tempore fuit salt̃m. Quosdam Articulos, nos & statum r̃e nr̃e Hibn & Ministror̃ nr̃or̃ ibidem tangentes, p nos de avisamento consilii nr̃i ordinatos, vob mittim[9] sub sigillo nr̃o in forma patenti; mandantes qd Articulos illos in rotulis Cancellar̃ nr̃e pdc̃e irrotulari, & eos sub sigillo nr̃o Hibn in forma patenti exemplificari, & Justic̃ nr̃o r̃e pdce, ac Justic̃ nr̃is de Banco Dublin̄, & Thes̃ & Baron̄ nr̃is de Sc[a]cio Dublin̄, ac aliis Ministris nr̃is in eadem r̃a, ubi expedire videritis, mitti fac̃; Mandantes eisdem & ex pte nr̃a districcius injūgentes, qd om̃es & singlos articulos pdc̃os, in placiis & ball̃is suis publicari, & q[a]ntum ad ip̃os ptinet observari faciant, juxta formam articulor̃ pdc̃or̃. Et qd pdc̃i Justic̃, Thes̃ & Barones, articulos eosdem simili[r] in rotulis suis faciant irrotulari: Volum[9] insup & vobis injūgim[9] & mandam[9], qd ad petic̃oem & psecuc̃oem cujuslibet, conquerentis de attemptato seu attemptatis cont[a] articulos pdc̃os, seu aliquem eor̃dem, quociens requisiti fuitis, sub sigillo nr̃o Hibn pdc̃o, tam p nob q[a]m hujusmodi conquerentib̃, debitum & festinū remedium fac̃; Ita qd non possitis sup aliquo defectu tepiditate vel negligencia r̃hendi. In cuj[9] &c. T.R. apud Notingh̃ xxiiij. die Nov̈.

[1] Interlined on the Statute Roll.—*Rot. Pat.* inserts.

Statutum de Terris Templariorum.*

STATUTE CONCERNING THE LANDS OF THE TEMPLARS.

STATUTE THE SECOND.

FOR that the Military Order of Templers ceasing and being dissolved, the Lands and Tenements (') in Demeasnes, Fees, and Services [of the Brethren of the same Order which they held in their Fraternity [2]] in the Realm of England, in the Time of the same ceasing and Dissolution of the foresaid Order, which were holden of our Lord the King, and divers other

[1] *in the hands of the Brethren of the same Order,*
[2] *as of the Right of the aforesaid Brethren, being*

Ex magno Rot. Stat. in Turr. Lond. m. 31 *d.*

QUIA cessante et adnullato ordine Milicie Templi, r̃e & ten̄, in manib̃ fr̃m ejusdem ordinis in dñicis, feodis & s̃viciis, ut de jure fr̃m pdc̃or̃ in regno Angl̃ existencia, tempore cessac̃ois & adnullac̃ois ordinis sup[a]dc̃i, que de dno R̃, & aliis div̈sis dñis in

* This Title is from the Printed Copies; No Title appears on the Roll.

eodem regno tenebant' seisita fuerunt in manibꝫ dñi ℞, & alioꝫ diu̇soꝫ dñoꝫ feodoꝫ illoꝫ: qui h̄i teñ occõe p̄dca ad ipos tanq'm escaetas suas reu̇ti debere vendicabant: Postmod in pliamento illustris principis dñi Edwardi ℞, fil ℞ Edwardi, sūmonito & convocato apud Westm̄, a die Purificac̃ois bē Marie in tres septimanas, anno regni ejusdē dñi ℞ decimo septimo, magnus t'actatus h̄ebat' coram ipo dño ℞, in p̄sencia Prelatoꝫ, Comitum, Baronū, p̄cum, magnatū, & alioꝫ ibidem tunc existenciū, an scilt dñi feodoꝫ p̄dc̃oꝫ, seu [alia[1]] qui p̄dca teñ, que fuerunt p̄dc̃oꝫ Templarioꝫ ut p̄dicit', occupabant, possent sc̄dm legē r̄e & sana consciencia ea retinere: sup quo, convocatis majoribꝫ de consilio dñi ℞, tam Justic̃ q'm aliis laicis psonis, Justic̃ p̄dci p̄cise dixerunt, qd dñs ℞, & alij dñi feodoꝫ p̄dc̃oꝫ, bene & licite possunt p̄dca teñ, tanq'm escaetas suas, p legem r̄e retinere, occõe cessac̃ois & adnullacionis ordinis sup'dci: set quia terre & ten p̄dca [data[2]] fuerunt frib̄ dci Ordinis ob defensionē Xp̄ianoꝫ et r̄e sc̄e cont' paganos, & Saracenos, & alios inimicos Xp̄i & Xp̄ianoꝫ, & univ̄salis sacrosc̄e ecclie; placuit & videbat' dño ℞, ac dcis Magnatibꝫ & aliis in dco pliamento congregatis, ob salutem āiaꝫ, & consciencie serenac̃oem, qd cum dcus ordo Milicie Templi ob defensionem Xp̄ianoꝫ, & univ̄salis sc̄e ecclie, & expugnac̃oem inimicoꝫ Xp̄i & Xp̄icolaꝫ, fuit originaliṫ institutus & canonizatus & ad divini cultus augmentū, ac elemosinaꝫ largic̃oem magnificam, qd p̄dc̄e r̄e & teñ, in dñicis, dñiis, & ꝟviciis, lib̄tatibꝫ & consuetudinibꝫ, & om̄ibꝫ aliis ad ea p̄tinentibꝫ, & ab eisdem qualiṫcumq; dependentibꝫ, sc̄dm voluntatem donatoꝫ aliis hoibꝫ sc̄issime religionis assignarent' & t'derent'; ad ipoꝫ r̄aꝫ & teñ, & reꝫ aliaꝫ inde p̄venienciū, fructus obvenc̃oes & emolumenta, in pios usus ut p̄dicit' conu̇tenda, & salubriṫ eroganda: & sup hoc in dco pliamento concordatū est, p̄visum & statutū, p lege in hac p̄te ppetuo duratura, qd nec dñs Rex, nec aliquis alius dñs feodoꝫ p̄dc̃oꝫ, seu alia quecumq; psona, titulū nec jus h̄eat p̄dca r̄as & teñ cū p̄tiñ seu aliquam p̄tem eoꝫdem, nōie escaete seu alio modo retinendi, seu eadem teñ imposterum vendicandi, occõne cessac̃ois & adnullac̃ois p̄dc̄i ordinis Milicie Templi, de quibꝫ frēs ejusdem ordinis seisiti fuerunt, in dñico suo ut de feodo, tempore cessac̃ois & adnullac̃ois p̄dcaꝫ; non obstante qd p̄dca r̄e & teñ, post dcas cessac̃oem & adnullacionē, ad manus diu̇soꝫ p successionem h̄editariam, donac̃oem seu p̄quisitū, vel alio modo devenerunt, ac eciam quacumq; lege seu consuetudine regni Angł, p quam seu p quas p̄dca concordia p̄visio & statutū, seu assignacio & t'dicio de p̄dc̄is r̄is & teñ, ut p̄dicit', impediri quovismodo debeat, impugnari, seu contrap̄itari: verū quia ordo frm Hospitał sc̄i Johis Jerlm consimiliṫ ob defensionem Xp̄ianoꝫ, & sc̄e ecclie, p̄visus fu̇at institutus & canonizatus, concordatum est & statutū, in dco pliamento p p̄dc̄m dñm Regem, Prelatos, Comites, Barones, & alios p̄ces dci regni ibidem existentes, qd ex quo ordo p̄dcus Templarioꝫ cessat & adnullat', & p̄dcus ordo Hospitalis in defensionē Xp̄ianoꝫ & ecclie sc̄e p̄visus, institutus, & canonizatus fuit, sicut p̄dcum est, qd om̄ia r̄e & teñ, dñia, feoda ecclie, advocac̃oes eccliaꝫ, & lib̄tates cū om̄ibꝫ ad ea qualiṫcumq; spectantibꝫ, que fuerunt

[1] alii *Old Printed Copies.* [2] Interlined on the Roll.

Lords in this Kingdom, were seised into the Hands of our Sovereign Lord the King, and of divers other Lords of the Fees of them; who [challenged the same Lands for the Consideration aforesaid, that the same Lands [1]] ought to revert to them as their Escheats: Whereupon, after, in a Parliament of the most noble Prince King Edward, Son of King Edward, summoned and assembled at Westminster, Three Weeks after the Day of the Purification of the blessed Virgin Mary, in the Seventeenth Year of the Reign of the same King, great Conference was had before the King himself, in the presence of the Prelates, Earls, Barons, Nobles, and great Men of the Realm, and others there present, whether the foresaid Lords of the Fees, or others which held those Lands that were the foresaid Templers, as is aforesaid, might retain them by the Law of the Realm, and with safe Conscience: Whereupon, the greater Part of the King's Council, as well the Justices as other Lay Persons being assembled together, The said Justices affirmed precisely, that our Lord the King, and other Lords of the Fees aforesaid, might well and lawfully, by the Laws of the Realm, retain the foresaid Lands as their Escheats, in regard of the ceasing and Dissolution of the Order aforesaid: But because the Lands and Tenements aforesaid were given to the Brethren of the said Order for the Defence of Christians, and the Holy Land against Pagans and Sarazens, and other Enemies of Christ and Christians, and the Universal Holy Church; It seemed good to our Lord the King, the Noblemen, and others assembled in the same Parliament, for the Health of their Souls and Discharge of their Consciences, That whereas the said Military Order of Templers were originally instituted for the Defence of Christians and the Universal Holy Church, Subversion of the Enemies of Christ and Christians, and canonised to the Augmentation of [the Honour of God [2]] and liberal Alms-giving, that the foresaid Lands and Tenements in Demeasnes, Lordships, Services, Liberties, Customs, and all other Things pertaining thereunto, and [by any Thing[3]] depending thereupon, according to the Wills of the Givers, shall be assigned and delivered to other Men of most Holy Religion; to the Intent the Fruits, Revenues, and Profits of the same Lands, Tenements, and other Things ([4]) may be converted and charitably disposed to godly uses ([5]): And thereupon in the same Parliament It is agreed, ordained, and established for Law to continue for ever ([6]), That neither our Lord the King, nor any other Lords of the Fees aforesaid, or any other Person, hath Title or Right to retain the foresaid Lands and Tenements, with the Appurtenances or any Part thereof, in [regard[7]] of Escheat, or by any other Means, or hereafter to challenge the same Lands in respect of the ceasing or dissolution of the foresaid Military Order of Templers, whereof the Brethren of the same Order were seised in their Demesnes as of Fee, at the Time of the ceasing and dissolution aforesaid; Notwithstanding that the foresaid Lands and Tenements, after the said ceasing and dissolution, came to the Hands of divers Persons by Descent of Inheritance, Gift, or Purchase, or by any other Means; and notwithstanding any Law or Custom of the Realm of England, whereby this [Law, Ordinance, and Statute, touching [8]] the Assignment and Conveyance of the foresaid Lands and Tenements ([9]) might be hindered, impugned, or counterpleaded: [Seeing [10]] the Order of the Brethren of the Hospital of Saint John of Hierusalem was likewise ordained, instituted, and canonised for the Defence of Christians and the Holy Church: It is agreed and enacted in the said Parliament by our foresaid Lord the King, the Prelates, Earls, Barons, and other great Men of the Realm, there being, That insomuch as the foresaid Order of the Templers is ceased and dissolved, and the foresaid Order of the Hospital is provided, instituted, and canonised, for the Defence of Christians, ([11]) as is aforesaid, That all the Lands, Tenements, Lordships, Fees, Churches, Advowsons of Churches, and Liberties, with all Things to them ([12]) belonging, which were the said

Whether, the Order of Templars being dissolved, the Lords of the Fees might enjoy their Lands.

The Chief Lords shall not have Templars' Lands by Escheat.

Lands of the Templars given to the Prior of the Hospital of Saint John of Jerusalem.

[1] *claimed that the same Lands, on the Occasion aforesaid,*
[2] *Divine Worship* [3] *any way*
[4] *thence arising* [5] *as is aforesaid*
[6] *in this behalf* [7] *the name*
[8] *Accord, Provision, and Statute, or* [9] *as is aforesaid*
[10] *But because* [11] *and the Holy Church,*
[12] *any way*

Templers' at the Time of their ceasing and dissolution, shall be assigned and delivered to the foresaid Order of the Hospital, and to the Prior and Brethren of the same Hospital, to remain to them and their Successors for ever: Wherefore our said Lord the King, by the mutual Assent of the Earls, Barons, and Noblemen aforesaid, (1) of his Regal Authority, in the same Parliament hath assigned and determined to deliver all the foresaid Lands, Tenements, Lordships, Fees, Churches, Advowsons, and Liberties, with their Appurtenances, to the foresaid Order of the Hospital, and to the said Prior and Brethren of the said Order: To have and hold to the same Prior and his Brethren, and (2) Successors, for ever, of our Lord the King, and other Lords of the Fees aforesaid, by the same Services, by which the Brethren of the Military Order of Templers held the same, at the Time of their ceasing and dissolution; as in relieving of the Poor, in Hospitalities, in celebrating divine Service, Defence of the Holy Land, and [in all other Offices[3]] and Services before time due, by whatsoever Names they be called. So always that the godly and worthy Will of the foresaid Givers be (4) observed, performed, and always religiously executed, as is aforesaid: Saving to every Person his Action, if he had any, the Time of the ceasing and dissolution aforesaid, against the same Templers in the foresaid Lands and Tenements, (5) Rents, Services, Customs, Pensions, Corrodies, Liberties, celebrating of Masses, Alms, and other Things whatsoever, and Liberty to prosecute his Right against the said Prior and Brethren of the Hospital aforesaid, [and their Brethren[6]] and their Successors, according to the Law and Custom of the Realm, as he might have had against the foresaid Templers, if the Order aforesaid had not been dissolved: And if it fortune that the said Prior and Brethren of the Hospital aforesaid, or their Successors, shall be put out of the foresaid Lands and Tenements, or of any Parcel thereof, after they shall be seised of the same, they shall have [power to recover their own[7]] according to the Law of the Realm.

And to the Intent that the Assignment before specified may be published and made known to all Men to whom it behoveth: It is ordained and agreed in the same Parliament, that it shall be openly proclaimed in every County of this Kingdom, that all and every Person holding the Lands and Tenements aforesaid, and all others to whom it doth appertain, shall be at Westminster one Month after Easter Day next, if they will, to hear the Concord, Provision, and Assignment aforesaid; in Form aforesaid.

[1] *in the fullness* [2] *their* [3] *by all other Charges*
[4] *in all things* [5] *or any part of them,*
[6] Omit these words. [7] *their Right of Recovery thereof*

dčoꝝ Templarioꝝ, de tempore cessačõis & adnullačõis ꝑdčaꝝ, ꝑdčo ordini Hospitalis, & priori & frĩbꝫ ejusdem ordinis assignentr & libentr, sibi & successoribꝫ suis imꝑpm̃ remansura: ꝑ qđ idem Dñs Rex, de unanimi consensu Comitũ, Baronũ, & ꝓceꝝ ꝑdčoꝝ, de plenitudine regie potestatis, om̃ia ꝑdča ꝓras & ten̄, dñia, feoda, ecclias, advocačões, & libtates, cũ ptin, ꝑdčo ordini Hospitał ꝑdči, & Priori & frĩbꝫ ejusdem ordinis, in eodem ꝑliamento assignavit, & ea eis libari decrevit: ħend & tenend eisdem Priori & frĩbꝫ, & successoribꝫ suis, de dño Rege, & aliis dñis feodoꝝ ꝑdčoꝝ, ꝑ illa eadem ꝓvicia ꝑ que frĕs ordinis Milicie Templi ea tenuerunt, tempore cessačõis & adnullačõis ejusdem ordinis Milicie Templi; ut in refecčõe paupum, hospitalitatibꝫ, divinoꝝ celebracionibꝫ, defensione ꝓre sče, et om̃ibꝫ aliis om̃ibꝫ & ꝓviciis prius debitis, quocunq, nõie censeantr, imꝑpm̃. Ita semꝑ qđ pia & saluberrima voluntas ꝑdčoꝝ donatoꝝ, sicut ꝑdčm est, in om̃ibꝫ teneatr, expleatr, & ꝑpetuo sčissime pseveret; salva semꝑ cuilibt accõne sua, si quam ħuit tempore cessačõis & adnullačõis ꝑdčaꝝ, ꝓsus ipos Templarios, in ꝑdčis ꝓris & ten̄, seu aliqua ꝑte eoꝝdem, redditibꝫ, ꝓviciis, consuetudinibꝫ, pensionibꝫ, corrodiis, libacõibꝫ, missaꝝ celebračõibꝫ, elemosinis, & aliis om̃ibꝫ quibuscumq, jus suũ versus ꝑdčos Priorem & Frĕs Hospitał ꝑdči, & eoꝝ successores ꝑsequendi, sčđm legem & consuetudinē regni, sicut ꝓsus ꝑdčos Templarios ħeret, si ordo ꝑdčus non esset adnullatus: et si forsan ꝑdči Prior & Frĕs Hospitał ꝑdči, vel eoꝝ successores, de ꝑdčis ꝓris & ten̄, seu aliqua ꝑte eoꝝdem, postq̃m seisiti fuerunt de eisdem, sint ejecti, ħeant inde suũ recupare sčđm legem cõem. (*a*)

(*a*) The Entry on the Statute Roll ends here; In *Secunda Pars Veterum Statutorum* printed in 1532, the following Sentences are added:

Plus non habetur in rotulo stat.

¶ Et ut hujusmodi assignatio omnibus et singulis, quorum interest, innotescat et manifestetur, Provisum est et concordatum in eodem Perliamento, quod in singulis comitatibus regni Anglie publice proclametur, qđ omnes et singuli tenentes terras et ten̄ predicta, et omnes alii, quorũ interest, sint apud Westm̃ a die pasche proxi. futuꝛ in unũ mensem si voluerint, audt concordiam provisionem et assign̄ predictas in forma predicta.

On *Rot. Claus.* 17 *Ed. II. m.* 14. is entered a Writ to the Sheriff of Lincoln, D' Concordia Ordinačõe & Statuto ꝑ Hospitalaꝛ fčis audiendis: After reciting the Substance of the enacting part of the Statute, the Writ concludes thus:

Nos ut hujusmodi assignacio, om̃ibꝫ & singlis quoꝝ inꝑest, innotescat, & manifestetr, tibi ꝓcipimꝰ firmiꝑ injungentes, qđ in pleno Com̃ tuo, necnon in Civitatibꝫ, Burgis, villis ñcatoriis & aliis locis in balliva tua, tam infra libtates qam extas, ubi expedire videris, publice fač ꝓclamari, qđ om̃es tenentes ꝓras & ten̄ ꝑdča, vel aliquam ꝑtem eoꝝdem, & om̃es alii quoꝝ inꝑest, sint apud Westm̃ a die Pasche ꝑx futuꝛ in unũ mensem, si voluꝑint, auditur concordiam, ordinačõem, ꝓvisionem, statutũ, & assignačõem supdča. Et quid inde fčis reddas nos sub sigillo tuo distincte & apte, ad diem ꝑdčm, ꝛtiores. Et ħeas ibi hoc ꝺre. T. ꝑ. apud Westm̃ xxvj. die Marcij.

Eodem modo mand est subscriptis, mutatis mutand, videlt.
Singlis vicecomitibꝫ ꝑ Angł.
Epo Dunolm̃. Justič Wall.
Comiti Cesꝑ.

STATUTES OF UNCERTAIN DATE.*

Les Estatuz del Eschekere.

THE STATUTES OF THE EXCHEQUER.†

Ex Lib. Scacc. Westm' X. fo. 28. (32.)

i. LE REY velt ke totes manes de baillifs, viscontes e autre ministres, ausi ben la Justice de Cestre, come les Baillifs [des Ylles[1]] com autres, de tote maneres de [recevurs[2]] des issues des gardes e de eschetes de lor baillie, seient responaunz al Eschekere e yleokes rendent lor acounte au Tresorer e as Barons del Eschekere.

ij. E tuz les viscontes fermers e baillifs de fnchises e autres ke deivent venir au porofre del Eschekere, lendemain de la Seint Michel, e lendemain da la cluse Pasche por paier lor fermes, rentes, e les issues ke apendent au Rey, vengent as avaũtdit mes e portẽt ileokes pleinemẽt les avaũtdites ferme', rentes, e issues, e les paient al Eschekere. E si nul defaut de paier pleinemẽt ceo kil deit paier, si com est avaunt dit, son cors demeorge saũ departir jekes a taũt kil eyt paie ou gre fet: E celi ke ne vendra as avaũtdit mes seit amcie solum les [estatuz[3]] del Eschekere; E a ceus meme mes, les Viscontes e les Baillifs portent e paient les deners [kil deveront au Rey,[4]] kil averunt receu de la somounce del Eschekere, e des autres dettes le Rey; E de totes choses avaũtdites seient prests e apparillez de fere veue daconte.

iij. E ke tuz les Baillifs de fnchises ke deivent lever les dettes le Rey, e respondre as Viscontes a lur maundement, solum les estretes de la somounce del Eschekere, vengent e respoynent soffisaument; e ceus ke ne frunt demeorgent lor cors en la garde du Visconte. E les Viscōz, par lor defaute enveient lever cele dettes par lor baillifs demeine, par la ou il porrunt, si com lem [sout[5]] fere en tens passee. E si ceus Baillifs ne vengent de ceo a respondre, au jor ke les Viscontes lur front asaver, les Viscontes entrent en la fnchise e facent lever les dettes par meme la mane.

iv. Endreit de la Justise de Cestre e du Baillif [des ylles[1]] velt le Rey kil [enveient[6]] p akun de [lur[7]] al porofre de la Seint Michel chekun an, ceo kil deveront au Rey a cel terme; E al porofre de la cluse Pasche vengent eus memes, e portent ceo kil deverunt au Rey a donke. E la Justice de Cestre eit jur dacunte de an en an a la quinzeine de Pasche. E le Bailiff [des ylle[s1]] lendemain de la cluse Pasche.

[1] de illonqes *Printed Copies.*—des Isles *MS. Cott.*
[2] resceites *MS. Cott: Printed Copies.*
[3] usages *MS. Cott. Printed Copies.*
[4] *MS. Cott; and Printed Copies* omit.
[5] soleit, *MS. Cott.*
[6] viegnent, *MS. Cott. Printed Copies.*
[7] eux, *Printed Copies.*

THE KING commandeth, that all manner of Bailiffs, Sheriffs, and other Officers, as well the [Justices[1]] of Chester, and [other Bailiffs of these Counties,[2]] as other, [that be Receivers[3]] of Wards, ([4]) of Escheats, [and other[5]] Bailiwicks, shall be answerable in the Exchequer, and there shall make account to the Treasurer and Barons of the same Place. All Bailiffs, &c. shall account in the Exchequer.

AND that all Sheriffs, Fermors, Bailiffs of Franchises, and other, [shall come[6]] to the Profer in the Exchequer, the [Monday[7]] after the Feast of St. Michael, and the Monday after the Utas of Easter, for to pay their Ferms, Rents, and Issues belonging to the King, ([8]) and shall bring at the foresaid Terms, the foresaid Ferms, Rents, and Issues [due,] wholly ([9]) into the Exchequer, [as before is mentioned.] And if [they make default, their Bodies[10]] shall remain without departing from thence, until [they[11]] have paid or made Agreement: And he that will not come at the Terms aforesaid, shall be amerced after the [Custom[12]] of the Exchequer: And the Sheriffs and Bailiffs at the same Terms shall bring and pay such Money as ([13]) they have received of the Summons of the Exchequer, and other the King's Debts; and shall be prepared and ready to make [full Account[14]] of the Things aforesaid. At what Time they shall account.

And that all Bailiffs of Franchises, which ought to levy the King's Debts, and be answerable to the Sheriffs thereof, ([15]) shall come and account sufficiently, according to the Extreats of the Summons of the Exchequer; and such as do not, their Bodies shall remain in Ward of the Sheriffs: And for Default in them, the Sheriffs shall cause the Debts to be levied by their own Bailiffs, [where they have Power,[16]] as they have used to do in Time passed. And if the Bailiffs do not come in ([17]) at the Day that the Sheriff shall give them knowledge, the Sheriff shall enter into the same Franchises, and levy the Debts [with his own Hand.[18]] How Bailiffs of Franchises shall account.

Concerning [Justices[19]] of Chester, and [Bailiffs thereof,[20]] the King willeth, that they, [or one of them, shall come[21]] at the Profer of St. Michael every Year, [when they ought to give account unto the King;[22]] and at the Profer of the Utas of Easter they shall come [likewise,[23]] and bring in that which they owe to the King for that Term; and [the Justices[19]] of Chester shall have Day to account from Year to Year *in Quindena Paschæ*; and the [Bailiffs thereof[20]] the Monday of Easter Utas. Accounts of the Justice of Chester and Bailiffs of the Isles.

[1] Justise *MS Tr.* 1.
[2] the Baillifs of Iles *MS. Tr.* 1. And see *Fleta, l.* 2. *c.* 32. *acc.*
[3] of their receipts of Issues
[4] *and*
[5] of their
[6] which ought to come
[7] next day
[8] shall come
[9] and pay them
[10] *any fail to pay in full what he ought to pay as aforesaid, his body,*
[11] *he*
[12] *Statutes*
[13] *they owe to the King, which*
[14] shew of their Account
[15] at their commandment,
[16] as they may,
[17] *to answer thereof*
[18] in the same manner.
[19] the Justise *MS. Tr.* 1.
[20] Baillifs of Ilene *MS. Tr.* 1.
[21] *shall send by one of their Men*
[22] as much as they owe unto the King at that Term;
[23] *themselves*

* In those Editions which continue the Statutes beyond Edward II. several Articles have been placed between the Reigns of Edward II. and Edward III. under the Head of "Certain Statutes made during the Reigns of K. Henry III. K. Edward I. or K. Edward II. but uncertain when or in which of their Times." The Number and Nature of the Articles so classed vary in the several Editions. Under the present Head are now arranged all such Articles, the exact Date whereof appears uncertain, but which have been uniformly considered as made previous to Edward III. and which have been admitted either into any Edition of the *Antiqua Statuta*, or into any general Collection of the Statutes.

† Two separate Articles intituled 'Districtiones (or De Districtione) Scaccarii,' and 'Statutum de Scaccario' have most generally been attributed to the 51st Year of King Henry III; and in the modern Printed Copies have been distinguished as Statutes 4 and 5 of that Year. In Rastall's Collection, Edit. 1603, it is suggested that they were made in the Reign of Edward I. and this seems confirmed by the Reference to the 'Statutum de Scaccario' in the Statute of 16 Ed. II. relating to the Form of sending Estreats into the Exchequer. The Various Readings marked *MS. Cott.* are from the Cotton MS. *Claudius D.* 2. *fo.* 224. from whence these Articles were printed by Cay.

Sheriffs (except in five Counties) shall keep the King's Wards and Escheats, in their Shires.

And that all Sheriffs of England, except the Sheriffs of Westmerland, Lancaster, Worcester, Rutland, and Cornwall, shall from henceforth keep all such Wards and Escheats, that are not [in other Fees, as belong'] to the King, which be within their Shires; and of the Issues thereof they shall [be answerable [2]] in the Exchequer at the Terms aforesaid: And at their Turns that they make in their Shires, they shall [[3]find Office of other Things, which the King's Escheators have not used to find of that which belongeth unto the King,[3]] once or twice in the Year, to as little Grievance of the People as they can. And the Sheriffs shall seize the Escheats that fall to remain unto the King in Fee, and shall certify the King of them without Delay.

Three Surveyors of Wards, &c.

Wards and Escheats let to Farm.

And the King shall assign Three able Persons, that shall go throughout the Realm, to survey and [find[4]] the Wards and Escheats aforesaid, from Year to Year, when they shall think requisite. And the Sheriffs by their Counsel shall approve, [and let[5]] to ferm, or otherwise, such Wards and Escheats, as they shall think most for [the King's] Advantage.

Foreign Sheriffs Escheators in the five excepted Shires.

Touching the Five Shires before named, the King will, that the Sheriff of Cumberland shall execute the Office of Escheator in the Shires of Westmerland and Lancaster; and the Sheriff of [Nottingham[6]] in Rutland; and the Sheriff of Gloucester in Worcester; and the Sheriff of Devonshire in Cornwall; and shall safely keep the King his Wards and Escheats in the same Shires, and shall be answerable in the Exchequer for the Issues of them, as [well as[7]] for their own Shires. And the Three able Persons aforesaid shall survey and extend such Wards and Escheats, [as well there as in[8]] other Places, and [those[9]] shall be approved by their Counsel. And when the Sheriffs do account for their Counties, they shall account for such Wards and Escheats. And in like Manner shall the [Justices[10]] of Chester do, and [their Bailiffs also,[11]] every one for his Bailiwick.

Duty of the Surveyors.

And the said Three able Persons shall keep the King's Demesnes, and shall approve them as they shall think best for the King's Advantage, and shall be answerable ([12]) for the Issues: And they shall have Power to let forth small Manors and Demesnes ([13]) to Folk of the same Places, or to other, according to their Discretion, [and shall let them to ferm[14]] from Year to Year, as they shall think most to the King's Profit: And the Fermors shall be chargeable for their Ferms unto the Principal [Approvers,[15]] and they unto the Exchequer, the [Monday next[16]] after the Ascension, from Year to Year.

Collectors of the Customs on Wools.

And the Principal Collectors of the Custom of Wools, at the Two Terms before mentioned, shall pay all such Money as they have ([17]) received of the said Custom, and shall make Account from Year to Year [clearly[18]] of all Parcels received in any of the Ports, [or other Places of[19]] the Realm, so that they shall answer for every Ship where it was charged, and how much it carried, [and whose the Wools were, and for every other Charge[20]] in the Ship, whereof Custom is due, and for the whole Receipt.

Keeper of the Wardrobe.

And the Warden of the King's Wardrobe shall make Account yearly in the Exchequer in the Feast of St. Margaret.

The King's Business shall be heard first.

And the Treasurer and Barons ([21]) shall be charged by Oath, that they shall not attend to hear the Pleas or Matters of other Men, while they have to do with the King's Business; if it be not a Matter that concerneth the King's own Debt.

[1] *in fee, which belong* in feos that apendiez *MS. Tr.* 1. / holden of other fees belonging *Old Translations.* / in the fees belonging *Rast.* 1603.
[2] answer truely
[3] *do the Office of the Escheatery* / do the Office of such other things as the King's Escheators have used to do, for that that belongeth unto the King,
[4] extend
[5] *either by letting*
[6] *Northampton*
[7] *they ought to do*
[8] *as in*
[9] they
[10] Justise *MS. Tr.* 1.
[11] the baillifs of the Hen *MS. Tr.* 1.
[12] *at the Exchequer*
[13] *of the King*
[14] for a certain ferme
[15] *Collectors aforesaid*
[16] next day
[17] *taken and*
[18] *openly and distinctly*
[19] *and throughout*
[20] of Wolle or of other charge *MS. Tr.* 1.
[21] *of the Exchequer*

E ke tuz les viscontes de Engleꝛe forsp's les Viscontes de Wymereland, Lancastre, Wirecestr̃, Roteland, e Cornwaille, desoremes gardent les gardes e les eschetes ke ne sunt en fez ke apendent au Rey dedenz lur countez, e des issues leument respoinent al Eschekere as ꝑmes avaunt dites. E a lur turs kil frunt par lur countez facent [le office del eschetrie une feze ou deus,'] au meins de grevaunce del people kil porrunt. E les Escheates ke escherrunt au Rey a demorer en fee, les Viscontes les seisent e le facent a savꝰ au Rey, saun delay. v.

E ley Rey atornerat treis ꝑdes houmes, ke irrunt par tote la ꝛre por surveer e estendre les gardes e les eschetes avaunt dites de an en an kꝰnt il verrunt ke bon seit. E les viscontes par conseil de eus, approvunt ou ꝑ mettre a ferme ou en autre maꝛe celes gardes e eschetes en la maꝛe kil ꝛront ke meuz seit apru. vj.

En les cinc countez avaunt nomees velt le Rey ke le Visconte de Camberlande face le office del Escheterie en les Countees de Westmareland e de Lancastr̃, e cely de [North, e[2]] Roteland, e celi de Gloucestre en le counte de Wyrcestre, e cely de Devenš en Cornwaille; e sauvement gardent les gardes e les eschetes au Rey en meme les Countes, e respoynent des issues al Eschekere si com il deivent fere de lur counteez. E les treis ꝑdes homes avaũt diz surverrunt e estenderunt celes gardes e eschetes si com aillurs ([3]) par le cõseil de euz seient apruez. E kaunt les Viscontes acunterunt de lor countez, si acunterunt des gardes e des eschetes. ¶ e par meme la maꝛe facent la Justise de Cestre, e le Baillif [des ylles,[4]] checun en sa baillie. vij. viij.

E les treis ꝑdes homes avaũt diz garderũt les demenes le Rey e les aproverunt solom ceo ([5]) ke meuz seit al eos le Rey, e responderunt al Eschekere des issues. E ceus memes averũt poer de bailler petiz maꝛs e demenes le Rey a la gent de memes les lius, u as autres solũ lor descrescion, a ferme ꝛteine de an en an par la ou il verrũt ke ceo seit le pru le Rey. E ceus fermers responderũt de lor fermes a ceus avaũt diz ꝑncipals [quillurs,[6]] e eus al Eschekere, lendemain del ascension, de an en an. ix.

E ke les ꝑncipals quillurs de la custume des leynes payent, a deus [eschekeres[7]] avaunt diz, tuz les deꝛs kil averunt ꝑs e rescuz del avaunt dite costume, e de an en an rendent acunte, aptement e destinctement, de totes les ꝑceles rescus par tuz les portz, e par tute la ꝛre, issi kil respoinent de checun nef ou ele serra chargee, e com ben ele portera [e ke lautre aver charge[8]] en la nef de quey custume est due [serra[9]] e de tute la receite. x.

E le gardein de la garderobe le Rey rende acunte, de an en an, a la Seinte Margerete al Eschekere. xj.

E le Tresorer e les Baruns del Eschekere seient chargee par serement kil nentendent de oyr les plez, ne les quereles, de nuly, taunt com il unt a fere les bosoygnes le Rey; si ceo ne seit de querele ke touche la dette le Rey. xij.

[1] les Offices des autres choses qe les Eschetours le Roy soleient faire & qui appent al Roi un foitz ou deux par an, *Old Printed Copies.*
[2] Noꝛ, en *MS. Cott.*—Notingham, in *Printed Copies.*
[3] &, *MS. Cott.*
[4] de illonqes *Printed Copies.*—des Isles *MS. Cott.*
[5] qils ꝛront, *MS. Cott.*
[6] approuers, *MS. Cott: Printed Copies.*
[7] termes, *MS. Cott; Printed Copies.*
[8] de la leine, et dautre aver charge, *MS. Cott.* / et a qi la leyne est, ou dautre charge, *Printed Copies.*
[9] *MS. Cott. and Printed Copies* omit.

xiij. E kaunt un Visconte ou Baillif, eyt comẽcee dacunter, nul autre ne seit receu de comẽcer dacunter, taunt ke le p'mer ke fust assis eit paracunte, e ke sa soume seit resceu.

(*a*) Districc̃oes de Sc^a^cio.

distr̃ sc^a^cij E por ceo ke la cõmune du Reaume ad eu g^n^t damage par torsenuse p'ses ke unt este fetes par Viscontes e par autre Baillif le Rey (1) ou par autre acheson; Porveu est, (2) ke ceus a queus les avers sunt les pusent pestre de lur, saunz desturber k^n^t il serront enparkez, saun ren doner por la garde. E ke les a͡vs ne nul autre destresce, p'se pur la dette le Rey ou p' autre acheson, ne seient venduz dedenz les quinze jurs, de la p'se.

E si nul porte taille conue de paye fete al Eseheker, cesse la destresce.

E si nul porte taille de nul visconte ou de baillif, de paye fete a ly de la chose demaũdee, e voile tro͡v plegges destre al Escheker au p̃chein acunte, a fere ceo ke dreit s̃rad, adonke cesse la destresce; e le Visconte ou le Baillif face atacher [le visconte ou le baillif (3)] ke les dust a͡v aquitee, kil seit sor meme la cunte, a fere sur ceo ke dreit serrad, e eyt ileokes les nons des plegges.

Unkore est porveu ke nul houme de religion, ne autre, ne seit destreint par ces bestes ke gaignent sa terre ne par ces berbiz por la dette le Rei ne por la dette dautri, ne par autre encheson ne par les Baillifs le Rey ne par autre home, taunt come lem treove autre destresce, e autre chateus soffisaunz, dunt lever la dette, ou ke soffise a la demaũde; hors p's enparkement de bestes k^n^t hom les trove fesauns damage, ke hom enparker solum ley e usage de la terre. E ke les destresces seient renables a la montaunce de la dette ou de la demaunde solum [esme,(4)] e noũ pas utraguses.

Uncore velt e comaunde le Rey ke tuz les Viscontes e les Baillifs ke unt receu les dettes le Rey de la somounce del Escheker, e ke naq'tent mye de ceo les detturs, sur lur p̃chein acunte, seient puniz solum lestatut nadgeres fet.

E velt le Rey ke totes les dettes de la somõce del Escheker ke les Viscontes ou les Baillifs averunt reconu kil eyent receu, seient meĩtenaunt alouwez le quel kil eyent receu tote la dette ou partie issi ke mes venge en somonce (5).

de sc^a^cio xiiij. E ke le Conestable le Marescal e les Chamberleinz, e les autres ke sunt de fee al Escheker, desoremes p̃sentent au Rey memes ceus kil mettrunt en lor liu a fere lor office de leinz, e teles genz ke seient de bone fame, e ke seient suffisaũz, e teus p' ky feez il voilent respundre.

E le Rey enjoynt au Tresorer e as Barons par la fey kil ly deivent, e le serement kil ly unt fet, kil ne mettent autres de par eus ke tels ne seient.

1 { p acheson de la dette le Roi, *MS. Cott.*
{ pur la dette le Roy *Printed Copies.*
2 & ordeygñ qe quaũt Visc̃ ou autre home preigne les a͡vs des autres, *Old Printed Copies.*
3 lui, *MS. Cott.*—celluy, *Printed Copies.*
4 { resoun, *MS. Cott.*
{ bonne value et par estim̃ *Printed Copies.*
5 ceo qe viscount a͡va conu soi avez receu &c. *MS. Cott.*

And when a Sheriff or Bailiff hath begun his Account, none other shall be received (1) to account, until he that was first appointed hath [clearly accounted,(2)] and his Money (3) received. Order of accounting.

FORASMUCH as the Commonalty of the Realm hath sustained great Damage by wrongful taking of Distresses, which have been made by Sheriffs, and by other the King's Bailiffs, for the King's Debt, or for any other Cause: It is therefore provided [and ordained,] that when a Sheriff, or any other Man doth take the Beasts of other, they to whom the Beasts do belong may give them their Feeding without Disturbance, so long as they be impounded, without giving any Thing for their keeping. And that the Beasts, nor no other Distress taken for the King's Debt, nor for any other Cause, be [given ne] sold within fifteen Days after the Taking. Distresses of the Exchequer. The Owner may feed his Cattle impounded. Sale of Distress.

And if any bring the (4) Tally of a Payment made in the Exchequer, the Distress shall cease. On producing Talley of Payment Distress shall cease, &c.

And if he bring the Tally of any Sheriff or Bailiff, of Payment made to them of the Thing demanded, and will find Pledges that he will appear in the Exchequer, upon the next Account, to do as Right shall require, then the Distress shall cease; and the Sheriff or Bailiff shall cause him to be attached that ought to have acquitted him, that he appear upon the same Account, to do as Right shall require; and there shall have the Names of the Pledges.

Yet it is provided, that no Man of Religion, nor other, shall be distrained by his Beasts that gain his Land, nor by his Sheep, for the King's Debt, nor the Debt of any other Man, nor for any other Cause, by the King's [or other Bailiffs (5)] [but until they can find another Distress,(6)] or Chattels sufficient whereof they may levy the Debt, or that is sufficient for the Demand; except impounding of Beasts that a Man findeth in his Ground damage-feasant, (7) after the Use and Custom of the Realm. And that such Distresses be reasonable, after the Value of the Debt or Demand, [and by the Estimation of Neighbours, and not by Strangers,(8)] and not outrageous. No Distress shall be taken of ploughing Cattle, or Sheep. Distress shall be reasonable.

Howbeit, the King willeth and commandeth, that Sheriffs or their Bailiffs, that have received the King's Debt of the Summons of the Exchequer, and have not acquitted the Debtors thereof at [the (9)] next Account, shall be punished after [the Statutes made(10)] thereupon. A Sheriff receiving the King's Debt, shall acquit the Debtor.

And the King willeth, that all Debts of Summons of the Exchequer, that the Sheriff or Bailiff have confessed Receipt, shall be allowed him forthwith: so that whether he received all the Debt, or part, it shall never come more in [Demand nor] Summons, after the Sheriff hath confessed the Receipt.

And that the Constable, Marshal, [Chamberlain;(11)] and other that are of Fee in the Exchequer, from henceforth shall present unto the King such as they [have(12)] put in their Places to do their Offices, [which must(13)] be of good Fame, and sufficient (14) for whose acts themselves will answer. Deputy Officers in the Exchequer.

And the King commandeth the Treasurer, and Barons [of the Exchequer,] upon their Allegiance, and by the Oath that they have made to him, that they shall not [assign any in their Rooms, but such as this Act meaneth of.(15)]

1 *to begin* 2 *finished his Account* 3 be
4 *known* 5 *Bailiffs or by any other Man*
6 *so long as they can find any other Distress*
7 *which a Man may impound*
8 and after convenient estimation,
9 *their* 10 *the Statute lately made* 11 *Chamberlains*
12 shall 13 *there, and such Persons as* 14 *and such*
15 admit others for them that be not such.

(*a*) The Words 'Districc̃oes de Sc^a^cio' in this place, and 'de sc^a^cio' in the Margin below, before Chapter xiiij, are inserted in Red Ink: A Line is drawn round the part of the Manuscript, which contains this Division, and at the bottom of the Leaf is the following Note, in a hand-writing similar to that of the Words in Red Ink, being different from and apparently of a later Date than that of the Text: "Hic est t^a^nsposic̃ō lit̃e, q̃ distr'cciones Sc^a^cij hic scribunt' in͡ Capĩm xiij & xiiij Statuto͡ Sc^a^cij." It appears that the Numbers of the Chapters in the Margin are in the same Hand-writing as this Note: The Words 'distr̃ sc^a^cij' in the Margin, after Chapter xiij, are in a Hand-writing different from that of either the Text or Note. In the Printed Copies this Part has always been given as a separate Instrument: as it is also in *MS. Cott. fo.* 226; and in *MS. Tr.* 1.

Deputy Officers shall be sworn.

And that the Exchequer be not charged with more Persons than is necessary. And that none of them, that be (1) sworn to the King, shall put in his Room any other, Clerk or Lay Person, except he be sworn (2), without special Licence of the Treasurer.

Punishment of Officers for Misconduct.

And if any [be,3] he shall be forthwith removed from his Office, and none other shall be received in his stead without the King's Licence. And if any that is received without [the Treasurer's] Licence do trespass [after4] Punishment shall be done as well to the Assignor, as to him that is assigned, according to the Trespass. And if both be unsufficient, their Superior (5) shall be punished, whether he be Officer of Fee, or other. And the Treasurer shall put no other in his Room, until he hath commandment from the King. And if he that keepeth the Room of another, by Licence of the Treasurer, doth any Thing that he ought not to do, he shall be punished according to the Trespass, if he have whereof; and if he have not, he that put him in Office shall be charged for his Trespass: And [if he that put him in Office 6] be not sufficient, [his Superior 7] shall be charged, whether he be of Fee, or otherwise.

Offences shall be certified.

And [they of the Wool-staple 8] shall make Oath, that if any of them may perceive that another doth commit any Default, Offence, or other Thing dishonest in [the Office of the Wool-staple,9] or that he hath done before, that they shall certify it to the Treasurer, or to the Barons, or to some of them (10): Or to the King himself, if need require.

Yearly Search as to deficient Accountants.

And that about the Feast of St. Margaret, before that the Exchequer be closed, they shall (11) cause a search to be made, whether any Sheriff or Bailiff, that ought to have accounted the same Year, have not, and thereupon a Remembrance in a Roll shall be made by itself. And if it be a Sheriff, his Accompt shall be first heard after Michaelmas, before that any other (12) be received to account: And if he be a Bailiff, he shall be summoned or distrained to come at a certain Day for to account, so that no Account shall be suffered to sleep.

Surveyors of the King's Works, to prevent false Allowances, &c.

And Forasmuch as Sheriffs, Constables, and other obtain many Times outrageous Allowances, by [pretence of 13] the King's Works, and other Things done and provided by his Commandment; It is provided, that all Surveyors of the King's Works shall be chosen by the Oath of [Twelve 14] Men, and of such as [will and may attend best 15] to that Office; and that they be sufficient to answer the King, if need be, and shall swear that they bear lawful Witness. And if the Treasurer or Barons of the Exchequer have any Suspicion of [Sale 16] Allowances [of Charges,17] or other Things, the Truth must be inquired; and he that is (18) attainted, shall answer to the King for as much as the Allowance amounteth unto, and shall be imprisoned [one Year and Forty Days,19] and shall be punished at the King's Pleasure, and the Surveyors shall be punished for their Consent. And likewise he that upon [the20] Accompt [did 21] conceal and keep secret such Things, whereof he ought to have charged himself, shall be punished in likewise as he that [admitted such false Allowances.22]]

Extreats of Fines and Amerciaments shall be delivered into the Exchequer.

And that all the Justicers, Commissioners, and other, shall from henceforth deliver into the Exchequer, at the Feast of St. Michael, from Year to Year, the Extreats of Fines and Amerciaments made and taxed before them, [and] of all Things wherefore the Extreats are wont to be delivered there. And they of the Exchequer shall make Extreats of the Summons through all Shires, saving that the Extreats [in the Eyre 23] of all Pleas shall be delivered immediately after the Eyre made.

1 there 2 *there*, nor that 3 do so
4 *nevertheless* 5 *also*
6 if he 7 he that put him in Office
8 all they of this Court 9 any Office *in* this Court
10 *and they shall cause it to be amended* 11 *yearly*
12 *Sheriff* 13 false testimony for 14 *lawful*
15 *best know how, and are able and willing to attend* 16 false
17 of werkes *MS. Tr.* 1. 18 thereof *MS. Tr.* 1.
19 *MS. Tr.* 1. omits. 20 his 21 shall
22 hadde false alowaunce. *MS. Tr.* 1.
23 of Justises of Eire *MS. Tr.* 1.

xv. E ke Leschekere ne seit chargee de plus de genz ke mesn̄ nest. E ke nul de leinz, juree le Rey ne mette home p' ly ne Clerk ne lay ke ne seit juree de leinz, ne ceo, saūz especial conge le Tresorer.

E si nul le fet seit meintenaūt remue de son office e nul autre ne seit receu en son liu, saū (') le Rey. E si celi ke serrad mis saun conge trespasse, jalemeins seit puni celi ke le aura mis e celi ke [serra 2] mis, solum le trespas. E si ambedeus ne sufficent, seit puni oveske le soverain, le quel kil seit de fee ou autre. E le Tresorer ne mette autre en son liu taūt ke le Rey eit autre chose maundee. E si celi ky aurad tenu le liu dautre par le conge le Tresorer face chose kil ne deive, seit puni solum le trespas sil ad de quey, e si noun, celi ke laurad mis respoyne de son trespas. E si celi ne soffist, respoine celi ke laverad mis en office le quel kil seit de fee ou aun̄.

xvj. E tuz ceus de leins facent serement ke si nul pusse aparceivre ke autre face defaute ou malveiste ou autre chose deshoneste en nul office de leinz, ou kil eit fet ca en are, kil le face a sav̄ au Tresorer ou a Barūs ou a akun de eus, e eus le facent amender: E si mesn̄ seit, le facent a saver au Rey.

xvij. E ke entur la feste Seint Margarete avaūt ke leschekere seit close checun an face leu cercher e veer si viscunte ou autre baillif ke dust av̄ acounte cel an, neit acoūtee, e ke de ceo seit fet une remembraunce en un roule par sey. E si ce seit visconte, ke son acounte seit p'merement oy ap̄s la Seint Michel avaunt ceo ke nul autre visconte seit receu de aconter: E si ceo seit autre Baillif seit maunde ou destreint kil venge a c̄tein jor por acounter, issi ke nul acounte seit soffert de endormir.

xviij. E por ceo ke les viscontes, Conestables e autres unt meintefez eu outraguse alouance, par faus testmoniages des overaynes le Rey e des autres choses fetes e parveues par son comaundement, porveu est ke tuz le veors des overaignes le Rey seient elluz par serement de p̄deshoumes, e teus ke meus sachent pussent e voilent a cel office entendre; e kil seient soffisaunz de respondre au Rey si mester seiet, e seient jurez kil porterunt leal testmoniage. E si le Tresorer ou les Barons del Escheker eyent nule suspecion de fause allouaunce fete de overaigne ou de autre chose, si seit la verite enquise; E cely ke serrad de ceo ateint, respoine au Rey de taunt come tele alouaūce amounte, e eit le p'son (3), e seit puni a la volunte le Rey, e les veors seient reins, pur la consente. E par meme la mañe celi ke aurad concelee sor son acounte les choses dunt il se dust charger, seit puni cū celi ke [aurad eu 4] fause allouance.

xix. E ke tuz les [Justices,5] enquerors e autres desoremes livrent al Escheker a la Seīt Michel de an en an les estretes de fins e de amerciemenz fetes e taxes devaūt eus de tutes les choses dunt estretes soleient est̄ livres al Escheker. E ceus del Escheker (6) de la somonce par tuz les countez sauve ceo k̄ les estretes de Eyre de Justices de tuz plez seient liveres maūtenaūt apres le eire fet.

1 licens, *Printed Copies.*
2 laurad *struck through, and* serra *interlined.*
3 duū an et xl. jours *Printed Copies.*
4 avera fait *Printed Copies.*
5 { viscontes *struck through and* Justices *interlined.* / *MS. Cott. and all Printed Copies read* Justices.
6 facent lestrete, *MS. Cott.*

Assisa Panis et Cervisie.*

The ASSISE of BREAD and ALE.

Ex MS. Cott. Claud. D. II. fo. 252 b.

de ass. panis & cervisie.

(1) QUANDO quartium frumenti vendit' p xij d. tunc panis quadrantis de Wastello ponderabit sex libras & sexdecim solidos. Panis de Coket de eodem blado & de eodem bultello ponderabit plusq'm Wastellū de duob3 solidis. De blado minoris ꝑcii ponderabit plusq'm Wastellum de quinq3. Panis vero de siminello ponderabit min9 de Wastello de duob3 solidis, quia bis coctus est. Panis [integ̃ de quadrante de frumento [2]] ponderabit Coket & đi (3). Panis ꝑo de [trait [4]] ponderabit duos Wastellos. Et panis de [om̃i blado [5]] ponderabit duos Coketos (6).

Quando quartiū frumenti vendit' p xviijd. tūc panis albus & bene coctus de quadrante de Wastello ponderabit quatuor libras, decē solidos & octo denar̃. Quando p duob3 solidis, tunc ponderabit lxviij š. Q'ndo p duob3 solidis, vj d. tunc ponderabit [liij š.[7]] iiij d. ob. q'. Q'ndo p trib3 solidis, tunc ponderabit [xlviij š.[8]] Q'ndo p trib3 solidis sex denar̃, tunc ponderabit [quadraginta duos solidos.[9]] Quando p quatuor solidis, tunc ponderabit [triginta sex solidos.[10]] Quando p quatuor solidis sex denariis, tunc ponderabit [triginta solidos.[11]] Quando p quinq3 solidis, tunc ponderabit viginti septem solidos duos denar̃ ob. Quando p q'nq3 solidis vj d. tunc ponderabit xxiiij š. viij d. q'. Q'ndo p sex solidis, tunc ponderabit xxij š. viij d. [q'.[12]] Q'ndo p sex solidis sex denar̃, tūc ponderabit viginti solidos undecim denar̃. Quando p septem solidis, tunc ponderabit xix š. [j d.[13]] Quando p septem solidis sex denar̃, tunc ponderabit octodecim solidos (14) ob. Quando p octo solidis, tunc ponderabit xvij š. Q'ndo p octo solidis sex denar̃, tunc ponderabit xvj š. Quando p novem solidis, tunc ponderabit q'ndecim solidos [q'.[15]] Quando p novem solidis sex denar̃, tunc ponderabit xiiij š. iiij d. ob. (16) Quando p decem solidis, tunc ponderabit xiij s. [viij d. q'.[17]] Quando p decem solidis sex denar̃, tunc ponderabit xij s. xj d. (18) Quando p undecim solidis, tunc ponderabit xij s. iiij d. [q'.[19]] Quando p xj s. sex denar̃, tunc ponderabit xj s. [x d.[20]] Quando p duodecim solidis, tunc ponderabit xj s. iiij d. (21)

(1) p Pistoriꝫ Ville de Coventr̃, de exemplificc̃.

Ꝫ om̃ibꝫ ad quos, &c. salt̃m. Inspexim9 quasdam ordinac̃oes assise panis & ꝺvisie ac cōposic̃ois monete & mensuraꝫ fc̃as temporibꝫ ꝓgenitoꝝ nr̃oꝝ quondam Regum Angł in hec ꝺba: *Rot. Pat.*

2 { de integro frum̃to *Printed Copies.* / de en̄ frument a ferlyng *Lib. Horn.*

3 ss. cokettū q̃ ponderabit v. s. plus q̃ Wastellū *Printed Copies.*

4 tret *Rot. Pat: Lib. Horn.*

5 cōi blado *Rot. Pat: Printed Copies.*—touz bleds *Lib. Horn.*

6 majores *Printed Copies.*

7 quinquaginta & quatuor solidos *Rot. Pat.* liiij s. *Lib. Horn: Printed Copies.* 8 xlv s. iiij d. *Tot.*

9 xxxviij s. x d. ob. *Tot.* 10 xxxiv s. *Tot.*

11 xxx s. ij d. q. *Tot.*

12 & obolū *Rot. Pat:—Lib. Horn*; *Tot.* read xxij s. viij d.

13 { v d. q̃. *Tot.* / v d. *Lib. Horn.* 121. 14 i d. *Tot*: iii d. *Lib. Horn.*

15 *Lib. Horn.* omits. 16 q̃. *Tot*: i. *Lib. Horn.*

17 vij d. ob. *Tot:* vij d. q' *Lib. Horn.* 18 q̃ *Tot: Lib. Horn.*

19 *Lib. Horn.* omits. 20 ix d. *Lib. Horn.* 301.

21 The Calculation in *Rot. Pat: MS. Cott:* and *Lib. Horn, fo.* 121, ends here. The subsequent Calculation up to 20 s. is from *Lib. Horn, fo.* 301 *b.* with the Variations of the Printed Copies in the Editions of *Tottell* and *Cay.*

Assise of Bread.

(1) WHEN a Quarter of Wheat is sold for xii d. then Wastel Bread of a Farthing shall weigh vi l. and xvj s. But Bread Cocket [of a Farthing] of the same Corn and Bultel, shall weigh more than Wastel by ii s. And [Cocket Bread] made of Corn of lower Price, shall weigh more than Wastel by vs. Bread made into a Simnel shall weigh ii s. less than Wastel (2). Bread made of the whole Wheat shall weigh a Cocket and a half, [so that a Cocket shall weigh more than a Wastel by v s.[3]] Bread of Treet shall weigh ii Wastels. And Bread of [common [4]] Wheat shall weigh Two great Cockets.

When a Quarter of Wheat is sold for xviii d. then Wastel Bread of a Farthing white and well baked shall weigh iv l. x s. viii d.

When for ii s.	iii li. viii s.
When for ii s. vi d.	liv s. iv d. ob. q.
When for iii s.	[xlviii s.[5]]
When for iii s. vi d.	[xlii s.[6]]
When for iv s.	[xxxvi s.[7]]
When for iv s. vi d.	xxx s. (8)
When for v s.	xxviis. iid. ob.
When for vs. vid.	xxivs. viiid. q.
When for vi s.	xxiis. viii d.
When for vis. vid.	xx s. xi d.
When for viis.	xix s. [i d.[9]]
When for vii s. vi d.	xviiis. id. ob.
When for viiis.	xviis.
When for viiis. vi d.	xvi s.
When for ix s.	xv s. q.
When for ixs. vi d.	xiv s. iv d. ob. q.
When for x s.	xiii s. vii d. (10)
When for x s. vi d.	xii s. xi d. q.
When for xi s.	xii s. iv d. q.
When for xi s. vi d.	xi s. x d.
When for xii s.	xi s. iv d.

1 The King to all to whom these Presents shall come greeting; We have seen certain Ordinances of the Assise of Bread and Ale, and of the making of Money and Measures, made in the Times of our Progenitors, sometime Kings of England, in these Words:—*First inserted in Pulton's Edition 1618, as Part of the Assisa Panis & Cervisie, 51 Hen. III.*

2 *because it is twice baked*

3 that is to say, the Cocket that shall weigh more than a Wastel by 5 *s.*

4 *all sorts of* 5 45 *s.* 4 *d.* 6 38 *s.* 10 *d.*½ 7 34 *s.*

8 2 *d.*¼ 9 ⅓ *d.*¼ 10 ½ *d.*

* The Printed Copies give this as a Statute of 51 Hen. III. An Exemplification of this Assise is entered on *Rot. Pat.* 2 *Ric. II. P.* 2. *m.* 20; the Various Readings of which are given in the Notes. In *Lib. Horn, London, fo.* 121, is an Entry, in French, of Three Instruments, intituled, 'Assisa Panis,' 'Lucrum Pistoris,' and 'Assisa Cervisie.' In *fo.* 301 *b.* of the same Volume, is an Article in Latin, intituled, 'Assaiū jux' Regal' Angł,' in the Margin of which is written 'p Rotulū Hugōn de Walth'm,' and lower down, 'Ex'.' This begins 'Qn̄ q'rteriū frumenti vendit' p ij s. Wastellū quadrental' ponđebit, Pro ij s. - - - lxviij s.' and carries on the Calculation to the Price of 20 s. the Quarter of Wheat; after which are inserted Memoranda as to the Produce in Bread of a Quarter of Wheat bought for 17 s 4 d. at Michaelmas, 12 *Edw. II.* A Calculation of the Assise from 12 s. to 20 s. per Quarter is inserted in Tottell's Magna Carta, &c. 1556. The Copy from *MS. Cott. Claud. D. II.* was printed in Cay's Edition, with an Addition from some other Source not specified, of the Calculation from 12 s. to 20 s. The Calculations in *Rot. Pat: Lib. Horn*, and Printed Copies agree with those in the Text, unless where the contrary is expressly noted.

When for xii s. 6 d.	10 s. 10 d.½
When for xiii s.	10 s. 5 d.½
When for xiii s. vi d.	10 s. 0 d.½
When for xiiii s.	9 s. 8 d.
When for xiiii s. vi d.	9 s. 2 d.½
When for xv s.	9 s. 1 d.
When for xv s. vi d.	8 s. 9 d.½
When for xvi s.	8 s. 6 d.
When for xvi s. vi d.	8 s. 2 d.½
When for xvii s.	8 s.
When for xvii s. vi d.	7 s. 9 d.½
When for xviii s.	7 s. 6 d.½
When for xviii s. vi d.	7 s. 4 d.½
When for xix s.	7 s. 2 d.
When for xix s. vi d.	6 s. 11 d.½
When for xx s.	6 s. 9 d.½

Gain of the Baker.

And it is to be known, that then a Baker in every Quarter of Wheat, as it is proved by the King's Bakers, may gain iv d. and the Bran, and Two Loaves [for Advantage,[1]] for Three Servants i d. ob. for Two Lads ob. in Salt ob. for Kneading ob. for Candle q. for Wood [ii d.[2]] for his Bultel ob. [3].

Assise of Ale.

When a Quarter of Wheat is sold for iiis. or iiis. ivd. and a Quarter of Barley for xxd. or iis. and a Quarter of Oats for xvi d. then Brewers in Cities ought and may well afford to sell Two Gallons of Beer or Ale for a Penny, and out of Cities to sell iii [or iv.] Gallons for a Penny. And when in a Town iii Gallons are sold for a Penny, out of a Town they ought and may sell four; and this Assise ought to be holden throughout all England.

Punishment of Baker or Brewer transgressing the Assise.

[[4] And if a Baker or Brewer be convicted that they have not kept the foresaid Assises, the First, Second, and Third Time they shall be amerced, according to the Quantity of their Offence; and that as often as a Baker shall offend in the Weight of a Farthing Loaf of Bread not above ijs. Weight, that then he be amerced as before is said; but if he exceed ijs. then [is he to be set upon[5]] the Pillory without any Redemption of Money.

In like Manner shall it be done if he offend oftentimes and will not amend, then he shall suffer the Judgment of the Body, that is to say, the Pillory if he offend in the Weight of a Farthing Loaf under Two Shillings Weight as is aforesaid. Likewise the Woman Brewer shall be punished by the Tumbrell, Trebuchit, or Castigatorie, if she offend divers Times and will not amend. [6]]

[1] *for the Furnage,* [2] *three farthings*

[3] *And it is to be known that the Assise of Bread and Ale shall not be changed but by Sixpence increasing or decreasing in the Quarter.*

[4]—[6] The Translation of these Two Sentences is from Rastall's Collection 1603. See the Instrument intituled, 'Judicium Pillorie,' immediately following, in Page 201.

[5] *he ought to undergo the Judgment of*

p̄ xij s. vj d.	[xj s.[1]]
p̄ xiij s.	x s. [iij d. õ.[2]]
Pro xiij s. vj d.	x s. [I d. ob.[3]]
p̄ xiiij s.	ix s. [viij d.[4]]
p̄ xiiij s. vi d.	ix s. ij d. õ. q[a].
p̄ xv. s.	ix s. [ob. q[a].[5]]
p̄ xv s. vj d.	viij s. [viij d.[6]]
p̄ xvj s.	viij s. vj d.
p̄ xvj s. vj d.	viij s. [iij d.[7]]
p̄ xvij s.	viij s.
p̄ xvij s. vj d.	vij s. [viij d. ob.[8]]
p̄ xviij s.	vij s. vj d. [q[a].[9]]
p̄ xviij s. vj d.	vij s. iiij d. [q[a].[10]]
p̄ xix s.	[vj s. xj d. q[a].[11]]
p̄ xix s. vj d.	vj s. [ix d.[12]]
p̄ xx s.	vj s. [viij d.[13]]

de lucro Pistoris.

Et sciendum est qd̄ pistor potest lucrari in quolibet q[a]rt̄io frumenti ut probatum est p̄ pistores dñi Regis quatuor denar̄ & furfur [& duos panes,[14]] ad furnagiū, trib3 ꝟvientib3 denar̄ & ob̄, duob3 garcõib3 obolū. In Sale obolum. In gesto obolū; in candela quadrentem. In bosco [ij d.[15]] In bultello ꝟendo, [denar̄ & obolū.[16]] [Et fait assavoir q̄ lassise de pain & de ꝟoise ne se chaunge pas forsq̄ p̄ vj d. encressant ou amenusaunt en le quartre.[17]]

D' ꝟisia.

([18]) QUANDO quar̄tium frumenti vendit' p̄ trib3 solidis, vel quadraginta denar̄, & ordeum pro viginti denar̄ vel duob3 solidis, & quar̄tium avene pro [quindecim[19]] denariis, tunc bene possunt braciatores vendere in Civitatib3 [duas lagenas[20]] cervisie ad denar̄, & extra debent vendere tres ad denariū. Et quando in Burgo vendunt' tres lagene ad denariū ext[a] debent vendi quatuor, & bene possunt; & ista assisa debet teneri p̄ totam Angliam ([21]).

[[22] Et sciendum qd̄ si Pistor vel Braciatrix convicti fuint qd̄ p̄dictas assisas non ꝟvaverunt primo, ſcdo ꝟcio amcient' ſcdm q[a]ntitatem delicti sui; & hoc quocienscumq̄ pistor defecit in pondere panis quadrantis citra duos solidos, qd̄ tunc amciet' ut p̄dcm est; set si excedat ij s. debet subire judicium pillorie, sine aliqua redēpcione pecunie.

Eodem modo fiat si pluries deliquerit & castigari noluerit, tūc paciet' judicium corporis scilicet collistrigium si defecit in pondere panis quadrantis cit[a] ij ſ. ut p̄dcm est. Simili modo Braciatrix subeat trebuchetum vel castigatorium si pluries deliquerit, & castigari noluerit.[22]]

[1] x s. x d. ob. *Tot.* [2] v d. ob. *Tot.*—i d. ob. *Cay.*
[3] ob. q̄ *Tot.* [4] iiii d. q̄ *Tot.* vi d. *Cay.*
[5] i d. *Tot.* [6] ix d. ob. *Tot.* ix d. *Cay.*
[7] ij d. ob. q̄ *Tot.* [8] ix d. q̄ *Tot.* x d. ob. *Cay.*
[9] ob. q̄ *Tot.* [10] ob. *Cay.*
[11] vij s. ii d. *Tot.* vij s. ii d. q̄ *Cay.*
[12] xi d. ob. *Tot.* x d. *Cay.* [13] ix d. ob. q̄. *Tot.* iii d. *Cay.*
[14] a furnage, del pris de deus deners. *Lib. Horn.*
[15] obolū quadrant' *Rot. Pat.* iij dēis *Lib. Horn.*
[16] obolū *Rot. Pat:* ob *Lib. Horn.* [17] *Rot. Pat: Lib. Horn.* omit.
[18] From hence to the End of this Assise, as printed in the Text, is given in some Old Printed Copies as a separate Instrument under the Title of 'Statutum Panis & Cervisie.' See the last Sentence of 'Judicium Pillorie,' post, page 202.
[19] sexdecī *Rot. Pat:* xvj *Lib. Horn.*
[20] ij galouns *Lib. Horn.*
[21] ex provisione domini Regis Henrici tertii *Printed Copies.*

[22] These Sentences are not in *Lib. Horn;* nor in *Rot. Pat. 2 Ric. II.* the latter of which concludes in the following Manner,

The Assise of Bread (as it is contained in a Writing of the Marshalsey of our Lord the King delivered unto them) may be holden, according to the Price of Wheat, that is to say, as well Wastel, as other Bread of the better, second, or third sort, shall be weighed, as is aforesaid, by the middle Price of Wheat; and the Assise or Weight of Bread shall not be changed but by Sixpence increasing or decreasing in the Sale of a Quarter.

By the Consent of the whole Realm of England, the Measure of our Lord the King was made; that is to say, That an English Penny, called a Sterling, round and without any

['Assisa panis scdm qd̄ continet' in scripto Marescalcie dñi Regis eis libata teneat', scdm vendicõem frumenti, scilt melioris scdi ꝟcii tam Wastelli q[a]m alii panes, ponderent' cujuscumq̄ gen̄is sicut p̄dem est, p̄ mediam vendicõem frumenti; et non mutet' assisa sive pondus panis nisi p̄ sex denar̄ crescentes vel decrescentes in vendicõe quar̄ii.']

['Par [discrecõem[3]] tocius Regni Angl' fuit mensura Dñi Regis composita; videlt, qd̄ denar̄ Anglicanus, qui dicit'

[1] This is nearly the same as the Introductory Sentence of the 'Statutum de Pistoribus,' post page 202.
[2] See Note [2] in next page. [3] Ordinaciones *Old Printed Copies.*

Judicium Pillorie.*

THE JUDGMENT OF THE PILLORY.

de Judicio Pilorie.

Ex MSS. Cotton Claudius D. II. fo. 254.

SI Pistor convictus fuit, vel Braciatrix convicta, qd [istas assias [1]] non obſvavit, primo, scdo & ꝑcio amerciet' secundum quantitatem delicti, [& [2]] non graviꝑ deliquerit; & si graviꝑ deliquerit pluries, & castigari noluit paciat' judicium corporis, scilt, Pistor collistrigium, et Braciatrix trebuchetum vel castigatoriū.

Primo, sex leg̃ homines jurent fideliꝑ colligle oīes mensuras ville, videlt, bussellū, dimidium bussellū, & quartas busselli, omnes galones, potellos, et quartas tam de tabernis q'm aliis; ulnas & ponderā, scilt lib̄r & dimid lib̄r tronas ac minora pondera villaꝝ, ꝓ que ponderant panem [villaꝝ, ꝓ que ponderant panem in Cur̃,[3]] scilt de quolibet gen̄e panis unū panem. Et sup mensuras ulnas pondera [tunc scribant sup singlos panes [4]] eorum nōia distincte quoꝝ sunt; & mensuras molendinoꝝ colligant. Postea xij. leg̃ hōies fideliꝑ [respondeant [5]] ad inꝛrogata ab eis, ([6]) ex parte Regis, querant' ab eis que [scripta [7]] sunt; & [que sunt scripta, [8]] ꝓponant secrete & privatim ꝛespondeant; & mandet' ballivis qd ꝛeant corpa oīm pistoꝝ & oīm braciatricium, una cum mensuris & oīibus aliis subscriptis.

Primo querat' de vendicione frumenti, videlt, quomodo vendebat' ultimo die quarꝛium frumenti melioris, & quomodo quarꝛiū minoris ꝑcii, & quomodo ꝑcii ꝑcii, & quomodo quarꝛium ordei & avene.

Postea quomodo ꝛespondeant panes pistoꝝ in Cur̃ sua, videlt, Wastellum & alii panes scdm vendicōem melioris ([9]) ꝑcii, aut ꝑcii ꝑcii.

Item ꝓ quanto incremento vel decremento in vendicione quarꝛii frumenti, debeat pistor mutare assisam suam, & pondus panis sui.

Item q'ntum debeat ponderare Wastellum de quadrante, & omnes alii panes, scdm vendicōem q'rꝛii frumenti quam ꝑsentant.

Item ꝓ quanto defectu ponderis panis [de quadrante [10]] pistor debeat amerciari vt subire judicium pillorie scdm consuetudinem Cur̃ sue.

Item si aliquis senescallus vel ballivus ꝓ aliqua ꝛcede remiserit judicium pillorie vt tumbrelli adjudicatum vel de jure adjudicandum.

[1] assisas panis et cervisie [2] si [3] ville & curie
[4] et etiam sup sing̃ pañ scribantur,
[5] jurent respondere [6] que
[7] subscripta [8] si que sint secreta
[9] frumenti, aut minoris [10] *Printed Copies* omit.

IF a Baker or a Brewer be convict, because he hath not observed the Assise of Bread and Ale, the First, Second, and Third Times, he shall be amerced according to his Offence, if it be not over grievous; but if the Offence be grievous and often, and ([1]) will not be corrected, then he shall suffer Punishment of the Body, that is to wit, a Baker to the Pillory, and a Brewer to the Tumbrel, or [some other Correction.[2]] Punishment of a Baker or Brewer transgressing the Assises.

First, Six lawful Men shall be sworn truly to gather all Measures of the Town, that is to wit, Bushels, Half and Quarter Bushels, Gallons, Pottles, and Quarts, as well of Taverns as of other Places; Measures and Weights, that is to wit, Pounds, Half Pounds, ([3]) and [other] little Weights, wherewith Bread of the Town or of the Court is weighed; that is to say, one Loaf of every sort of Bread. And upon every Measure, [Bushel,[4]] Weight, and also upon every Loaf, the Name of the Owner ([5]) distinctly written; and likewise they shall gather the Measures of Mills. After which Thing done, Twelve lawful Men shall swear to make true Answer to all such Things as shall be demanded of them in the King's Behalf upon Articles here following; and such Things as be secret, they shall [utter [6]] secretly, and answer privately. And the Bailiffs shall be commanded to bring in all the Bakers and Brewers with their Measures, and all Things under written. Inquest, for Weights and Measures; For other Matters:

First, they shall inquire the Price of Wheat, that is to wit, how a Quarter of the best Wheat was sold the last Market Day, and how the Second Wheat, and how the Third; and how a Quarter of Barley and Oats. Inquest of Price of Corn.

After, how the Baker's Bread [in the Court doth agree, [7]] that is to wit, Wastel and other Bread after Wheat of the best, or of the Second, or of the Third Price. Assise of Bread.

Also upon how much Increase or Decrease in the Price of ([8]) Wheat a Baker ought to change the Assise and Weight of his Bread.

Also how much the Wastel of a Farthing ought to weigh, and all other Manner of Bread, after the Price of a Quarter of Wheat that they present.

And for ([9]) default in the Weight of the Bread, a Baker ought to be amerced, or to [be judged unto [10]] the Pillory, according to [the Law and] Custom of [the [11]] Court.

Also if any Steward or Bailiff, for any Bribe, doth release Punishment of the Pillory and Tumbrel, being already judged, or to be judged of Right. Corrupt releasing of Punishment.

[1] *he* [2] *Castigatory.* [3] *Trones*
[4] Yard [5] *shall be* [6] *treat of*
[7] *doth answer in his Court,* [8] *a Quarter of*
[9] what [10] *undergo judgment of* [11] his

Sterlingus, rotundus sit & sine tonsura, & ponderabit triginta & duo g'na frumenti in medio spice; & viginti denar̃ faciunt unciam; & duodecim uncie faciunt libram; & octo libre faciunt galonem vini; & octo galones faciunt bussellum Londoñ; quod est octava ps quarꝛii.[a]]

Nos ꝓ eo qd in pliamento nr̃o apud Westm̃ anno Regni nr̃i primo tento, oīa bona statuta & ordinacōes temporibꝫ pgenitoꝝ nroꝝ pdcoꝝ edita & non revocata, concessim[s] fore tenenda; ordinacōes pdcas ad requisicōem Pistoꝝ Ville nr̃e de Coventr̃ tenore ꝑsenciū duxim[s] exemplificand̃. In cuj[s], &c. T. R. apud Westm̃ xxij Die Marcij.

[a] This Sentence is given in the Old Printed Copies as a separate Article under the Title 'Compositio Mensurarum'; and in several Manuscripts with the Title 'Compositio Monetæ.'

clipping, shall weigh xxxii Wheat Corns in the midst of the Ear; and xx d. do make an Ounce; and xii Ounces one Pound; and viii Pounds do make a Gallon of Wine; and viii Gallons of Wine do make a London Bushel; which is the Eighth Part of a Quarter.

Forasmuch as in our Parliament holden at Westminster, in the First Year of our Reign, we have granted that all good Statutes and Ordinances made in the Times of our Progenitors aforesaid, and not revoked, shall be still held, we have caused at the Request of the Bakers of our Town of Coventry, that the Ordinances aforesaid, by tenor of these Presents, shall be exemplified. In Witness whereof, &c. Witness the King at Westminster, the xxii Day of March. *See Statute 1 Richard II. Chapter 1.*

The three foregoing Paragraphs were first inserted in Pulton's English Edition 1618, as Part of the Assisa Panis & Cervisie, 51 Hen. III.

* The Printed Copies, from which the Various Readings are inserted in the Notes, give this as a Statute of 51 Hen. III.

A sufficient Pillory.

Also if they have in the Town a Pillory of convenient Strength, as appertaineth to the Liberty of their Market, which they may use, if need be, without bodily Peril either of Man or Woman.

Assise of Wine.

After, they shall inquire of the Assise and Price of Wine, after the Departure of the Justices in Eyre, or of them that were last in Office of the Market of the Town; that is to say, of the Vintners Names, and how they sell [a Gallon [1]] of Wine: And if any corrupted Wine be in the Town, or such as is not wholesome for Man's Body.

Assise of Ale.

Also of the Assise of Ale in the Court of the Town how it is, and whether it be observed; and if not, [how much [2]] Brewers have sold contrary to the Assise; and they shall present their Names distinctly and openly, and [that they be [3]] amerced for every Default, or [to be [4]] judged to the Tumbrel, if they sell contrary to the Assise.

False Weights or Measures.

Also if there be any (5) that sell by one Measure, and buy by another. Also if any do use false [Ells, [6]] Weights or Measures.

Butchers. Cooks.

And if any Butcher do sell contagious Flesh, or that died of the Murrein. Also they shall inquire of Cooks that seethe Flesh or Fish with Bread or Water, or any otherwise, that is not wholesome for Man's Body, or after that they have kept it so long that it loseth its natural Wholesomeness, and then seethe it again, and sell it: [or if any do buy Flesh of Jews, and then sell it to Christians.[7]]

Forestallers.

And also Forestallers, that buy any Thing afore the [due and accustomed Hour, [8]] against the [good State and Weal [9]] of the Town and Market, or that pass out of the Town to meet such Things as come to the Market, [being [10]] out of the Town, to the Intent that they may sell the same in the Town more dear to Regrators, [that utter it more dear [11]] than they would that brought it, in case they had come to the [Town or] Market.

Ale shall be sold according to the Price of Barley.

When a Quarter of Barley is sold for Two Shillings, then Four [Quarts [12]] of Ale shall be sold for a Penny; when for Two Shillings Sixpence, then Seven [Quarts [12]] of Ale shall be sold for Two-pence; when for Three Shillings, then Three [Quarts [12]] for One Penny; when for Three Shillings Sixpence, then Five [Quarts [12]] for Two-pence; when it is sold for Four Shillings, then Two [Quarts [12]] at One Penny. And so from henceforth the Prices shall increase and decrease after the Rate of Sixpence.

[1] *the Measure* [2] how many [3] they shall be
[4] be [5] *in the Town* [6] Yards
[7] Not in Translations previous to Pulton, 1618.
[8] *hour which is due and appointed in the Town,* [9] *Regulation*
[10] *and buy* [11] Old Translations omit.
[12] *Gallons*—See 'Assisa Panis & Cervisie' ante pa. 200.

Item si ħeat' in villa pilloria debite fortitudinis, scđm qđ ptinet ad lib̄tatem m̄catoꝝ qua uti possit si necesse fuerit, sine picto corpis ħ̄ois, & mulieris.

de ass. vin, & ej⁹ vendicõe.

Et postmodum querat' de assīa et vendicione vini, post recessum Justic̄ itin̄anciū, vel eorum qui fuerunt ultimo in officio m̄cati in villa; videl't, de nõib⁹ vinetarioꝝ p quanto vendiderunt sextarium vini. Item si aliquid vinum sit in villa coruptū, & corpori hõis non sanum.

De assisa v̄visie in Cur̄ ville qualis sit, & si ob-s̄vet'; sin autem, que Braciatrices vendiderunt contra ass'm, & nõia eaꝝ distincte & apte p̄sentent, & p quoꝫ delicto am̄ciari debent, vel pati judiciū tumbrelli, si contra ass'm vendiderunt.

De judicand ad tumbrel.

Item si qui sint in villa qui p unam mensuram emunt, & p aliam vendunt. Item si quis utat' falsis ulnis vel falsis ponderib⁹ aut mensuris.

Item si quis carnifex vendiderit carnes [susceinatas, [1]] vel morte morina. Item de Cocis, si qui decoquant carnes vel pisces in pane vel in aq' vel alio modo non sanas corpori hõis, vel postq'm talia ten̄uint, ita quod debitam nat'am amiserint, ea recalefaciant & vendant: (2).

Item de Forstallariis qui ante horam debitam in villa statutam aliquid emunt cont' statutum ville & m̄cati, vel qui exeant villam rebus venalib⁹ obviantes, & ex' villam emant ut in villa eas carius vendant ad reg'tatores q'm fac̄ent hii qui eas asportabant, si in m̄cato venissent.

[3]Quando quart̄iū ordei vendit' p duob⁹ solidis, tunc quatuor lagene cervisie vendant' ad denarium. Q'ndo p duob⁹ solidis sex denariis, tunc septem lagene p duob⁹ denar̄; q'ndo p trib⁹ solidis, tunc tres lagene ad denar̄. Q'ndo p trib⁹ solidis & sex denariis, tunc quinq; lagene ad duos denar̄; quando p quatuor solidis, tunc due lagene ad denariū; & sic deinceps crescet' vel diminuet' p sex denarios.[3]]

[1] contagiosas

[2] vel si quis emat carnes de Judeis, & eas vendat Christianis.

[3] In some Printed Copies this is inserted as a distinct Instrument under the Title of 'Assisa Cervisie.'

Statutum de Pistoribus, &c.*

STATUTE CONCERNING BAKERS, &c.

Ex Lib. Horn. London, fo. 121 b.

Here beginneth the Rule for punishing the Infringers of the Assise of Bread and Ale, Forestallers, Cooks, &c.

Inciꝑ Cõposicio ad puniend infringentes ass'm panis & v̄visie Forestallarios cocos, &c.

The Assise of Bread.

THE Assise of Bread shall be kept, according as it is contained in the Writing of the Marshalsey of our Lord the King, delivered unto them, after the Sale of Wheat, that is to wit, the better, the worse, and the worst. And as well Wastel Bread, as other of what sort soever they be, shall be weighed, according as it is said, [of the Sale of the meaner Wheat:[1]] Neither shall the Assise or Weight of [Wheat [2]] be changed [more than Six-pence increasing or decreasing, as it is in the Sale of the Quarter. [3]]

Punishment of fraudulent Bakers.

A Baker, if his Bread [be founden a Farthing Weight lacking in [4]] Two Shillings Six-pence, or under, shall be amerced; and if it [pass the same Number [5]] he shall suffer Punishment of the Pillory,

[1] by the Sale of the middle Corn: [2] Bread
[3] but by the Increase or Decrease of Six-pence, in the Sale of a Quarter *of Wheat.*
[4] of a Farthing, be found wanting weight but
[5] want more weight than that,

ASSISA panis scđm qđ continetur in scripto de Mareschaucia Dñi Reg̃, eis lib̄at̄, teneatur scđm vendicion̄e fr̄i, scilic̄ melioris, scđi, & p̄cii. Et tam vastelli q'm alii panes ponderent' cuj⁹cumq; gen̄is sicut supradc̄m est, p mediam vendicionem fr̄i: Et tunc non mutetur ass' sive pondus panis nisi per sex denarios crescentes, vel decrescentes in vendicione quarterii frumenti.

Pistor si inveniatur panis suus de quadrante in defectu ponderis duoꝝ solidoꝝ & sex denarioꝝ, (1) amerciet'; et si num̄ illū excedat subeat judiciū pillorie,

[1] vel infra, *MS. Cott. Claud. D. II*; where the first six Paragraphs of this Instrument are given under the Title "Statutum Panis & Cervisie."

* The Contents of this Instrument have in various Printed Copies been attributed to 51 Henry III. and 13 Edw. I.

et non remittetur judiciū delinquenti pro auro neq; pro argento: Et quilibet Pistor habeat suū ppium signū sup quodlibet genus panū suoz.

Pilloria, sive collistrigium, [& Tumbrellū, continue habeantur[1]] debite fortitudinis; Ita qđ delinquentes exequi possint judiciū sine corporis piculo.

Tolnetum ad Molendinū, sčđm cōem consuetudinem Regni, & sčđm fortitudinem cursus aque, capiatur vt ad vicesimū granū, vel ad vicesimū quartū granū. Et mensura per q^m Tolnetū capi debeat sit concordans mensure dñi Regis, & capiatur tolnetū per rasum, & nicht cū cumulo vel Cantallo. Et si Firmarii inveniant Molendinariis necessaria sua, nicht capiant ꝑter debitū tolnetū; et (2) alit fecerint gravit punient'.

Assisa vini sčđm ass^m dñi Regis observet' scilicet; Sexteriū ad xij d. et si Tabernarii illam ass^m excederint, per Majorem & Ballivos hostia claudant', & non ꝑmittant' vinū vendeī donec a dño Rege licenciam optinuerint.

Assisa ꝟvisie sčđm vendicionem bladi de quo fit brasiū statuatur, proclamet' & observetur.

Et Braciatrix non accrescat quadrantem in Galone, nisi ꝑ xij d. crescentes in vendicione quartii brasii, nec minuet q^drantem in galone nisi ꝑ xij d. decrescentes in vendicione quartii brasii. Et qui ass^m cervisie fregerint p^mo sčdo & ꝟcio amercientur; quarto sine redempcione subeant judiciū Tumbrelli.

Carnifex qui vendit carnes porcinas supsennuatas, vt carnes de morina, (3) postq^m p^mo cōvictus fuit gravit amicietur, sčdo cōvictus paciat' judiciū Pillorie; ꝟcio incarceretur & redimatur; quarto abjuret villam; & hoc judiciū fiat de cocis transgredientibus.

[4Standardum busselli [galones[5]] & ulne, sigillo dñi Reg ferro signantur diligent & salvo custodiant', sub pena Centū librazꝫ. Et nulla mensura fiet in villa, nisi mensure Dñi Regis concordat & signo cōitatis ville sit signata. Si quis emat vel vendat per mensuras non signatas, & per majorem & Ballivos non examinatas, gravit amercietur. ¶ Et omnes mensure & ulne, majores vel minores, bis in anno videantur, & diligent examinent'. Si quis autem ꝟvictus fuit cū duplici mensura majore scilič ad emendum & minore ad vēdendum, tanq^m falsarius incarceret' & gravit punietur.

Standardum busselli [galones[5]] & ulne, & signa quibus mensure signande sunt, sint sub Custodia Majoris & Ballivoz et sex legaliū de villa Juratoz, corā quibus omnes mensure signent'.

Nullum genus bladi vendatur ꝑ Cumulū seu Cantallum pret avenam brasiū & farinam.[6]]

[7 Precipue ex ꝑte Dñi Regis precipiatur, qđ nullus forisstallarius paciatur in villa cōmorari, [nec in vill paciatur cōmorari[8]] qui paupum est depssor manifeste et tocius cōitatis & patrie publicus inimicus; qui bladū, pisces, allec, vel res quascumq; venales ꝑ ꝟram vel ꝑ

[1] ħeatur *MS. Cott.* [2] si *MS. Cott.*

[3] vel emit carnes a Judeis et vendit Christianis

[5] galonis [8] *An erroneous repetition.*

[4—6, 7—14] In some Printed Copies and Manuscripts these Sentences are given as separate Instruments under the Titles, 'Statutum de Ponderibus et Mensuris' and 'Statutum de Forstallariis.' See particularly *MS. Cott. Claudius D. II. fo.* 241 b; 242.

which shall not be remitted to the Offender either for Gold or Silver. And every Baker shall have a mark of his own for (1) his Bread.

Every Pillory or Stretchneck (2) [must be made[3]] of convenient Strength; so that Execution may be done upon Offenders without Peril of their Bodies. — Pillories, &c.

The Toll of a Mill shall be taken, according to the Custom of the Land, and according to the Strength of the Water-course, either to the Twentieth or Four and twentieth Corn. And the Measure whereby the Toll must be taken shall be agreeable to the King's Measure, and Toll shall be taken, [by the Rase,[4]] and not by the Heap or Cantel. And in case that the Fermors find the Millers their Necessaries, they shall take nothing besides their due Toll; and if they do otherwise, they shall be grievously punished. — Toll at a Mill.

The Assise of Wine shall be kept, [that is a Sextertium[5]] at Twelve Pence; and if the Taverners exceed the same Assise, their Doors shall be shut up (6). — The Assise of Wine.

The Assise of Ale shall be assessed, proclaimed, and kept according to the Price of the Corn whereof the Malt is made. And the Brewer shall not increase [more in a Gallon, but according to the Rate of Sixpence rising in a Quarter of Malt.[7]] And [if he break the Assise[8]] the First, Second, and Third Time, [he[9]] shall be amerced; but the Fourth Time [he[9]] shall suffer Judgement of the [Pillory[10]] without Redemption. — The Assise of Ale. — Punishment of Brewers offending.

A Butcher that selleth Swines Flesh meazled, or Flesh dead of the Murrain, or that buyeth Flesh of Jews, and selleth the same unto Christians, after he shall be convict thereof, for the first Time, he shall be grievously amerced; the Second Time he shall suffer Judgement of the Pillory; and the Third Time he shall be imprisoned and make Fine; and the Fourth Time he shall forswear the Town. And in this Manner shall it be done [of all that offend in like Case.[11]] — Punishment of Butchers selling unwholsome Flesh.

The Standard of [Bushels, Gallons, and Ells,[12]] shall be sealed with an Iron Seal of our Lord the King, and safe kept, under the Pain of a Hundred Pound. And no Measure shall be in any Town unless it do agree with the King's Measure, and marked with the Seal [of the Shire Town.[13]] If any do sell or buy by Measures unsealed, and not examined by the Mayor or Bailiffs, he shall be grievously amerced. And all the Measures [of every Town,[14]] both great and small, shall be viewed and examined twice in the Year. If any be convict for a Double Measure, that is to wit, a greater for to buy with, and a smaller to sell with, he shall be imprisoned [for his Falshood,[15]] and shall be grievously punished. — Standard Bushels, Gallons, and Yards to be sealed with the King's Seal. — Punishment for using unlawful Measures.

The Standard, [Bushels and Ells,[16]] shall be in the Custody of the Mayor and Bailiffs, and of Six lawful Persons of the same Town being sworn, before whom all Measures shall be sealed. — The Standard Bushels, &c. to be kept by Mayors, &c.

No Manner of Grain shall be sold by the Heap or Cantle, except it be Oats, Malt, and Meal. — Sale by Heap.

But especially be it commanded on the Behalf of our Lord the King, that no Forestaller be suffered to dwell in any Town, which is an open Oppressor of Poor People and [17of all the Commonalty, and an Enemy of the whole Shire and Country, which for Greediness of his private Gain doth prevent others in buying Grain, — Foreſtallers defined.

[1] *each sort of* [2] *and Tumbrel*

[3] *must continually be* [4] by Stricke,

[5] according to the King's Assise; viz. A Gallon

[6] by the Mayor and Bailiffs; and let them not sell Wine, until they have obtained the King's Licence.

[7] *the farthing in the gallon, but by the increase of twelve-pence in the sale of a quarter of Malt, and shall not decreate the farthing in the gallon but by the decreate of twelve-pence in the sale of a quarter of Malt.*

[8] *whoever break the Assise of Ale,* [9] *they* [10] *Tumbrell*

[11] *of Cooks offending.* [12] Bushel, Gallon, and Yard

[13] of the Commonalty of the Town.

[14] *and Yards* [15] as a Falsifier,

[16] *of the Bushel, Gallon, and Yard, and the Seals wherewith Measures are to be sealed,* [17] See next Page Note [1].

Fish, Herring, or any other Thing to be sold coming by Land or Water[1]] oppressing the Poor, and deceiving the Rich, [which carrieth away such Things, intending to sell them more dear;[2]] the which come to Merchants Strangers that bring Merchandize, offering them to buy, and informing them that their Goods might be dearer sold than they intended to sell; and (3) an whole Town or a Country is deceived by such Craft and Subtilty: He that is convict thereof, the first Time shall be [amerced,[4]] shall lose the Thing so bought, and that according to the Custom and Ordinance of the Town; he that is convict the Second Time shall have Judgement of the Pillory; at the Third Time he shall be imprisoned and make Fine; the Fourth Time he shall abjure the Town. And this Judgement shall be given upon all Manner of Forestallers; and likewise upon them that have given them Counsel, Help, or Favour.

Punishment of Forestallers.

Punishment for selling Oatmeal adulterated.

And if any presume to sell the Meal of Oats adulterated, or in any other deceitful manner, for the first offence he shall be grievously punished; for the second he shall lose all his Meal; for the third he shall undergo the judgement of the Pillory; and for the fourth he shall abjure the Town.

The present Statute shall be observed;

All the Things before written shall be observed by command of the King, so that if any, great or small, shall presume to contravene the before written Statutes, in any Thing by Word, Counsel, Help, or Favour, he shall be apprehended as a contemner of the King's Commandments, and imprisoned, and shall not be delivered out of Prison, until he be delivered by the command and the express Writ of the King.

and delivered to the Mayor and Bailiffs.

And the present Schedule shall be delivered to the Mayor and Bailiffs and Six lawful Men of the Town sworn, together with the Standard Bushel, Gallon, Yard, and Stone, to be observed; and when need shall be, they may be certified by the same Schedule.

[1] a public Enemy of the whole Commonalty and Country; who meeting, *sometimes by Land, sometimes by Water*, grain, fish, herring, or other things, coming by Land or Water to be sold, doth make haste to buy them before other, thirsting after wicked gain;

[2] and by that means *unjustly* goeth about to sell the Things much dearer, than he which brought them,

[3] *so*

[4] *grievously amerced, and*

aquam venientes, qñq; p ꝑram vel p aq'm obviando ꝑ cet̃is [festinant[8]] lucrū [scient[9]] viciosum, paupes opprimens, & diviciores decipiens, [que[10]] sic minus juste [asportaverat[11]] multo carius vendere machinatur; qui mercatores extraneos cū rebus venalib3 venientes circūvenit, offerens se vendicioni rerum suaꝝ, & sucgerens eis qđ bona sua carius vendere poꝑunt q'm vendere ꝓponebant; et sic arte vel ingenio villam seducit & patriam; p'mo cōvictus gravi ꝑ amercietur & amittat res sic emptas, et hoc sc̃dm consuetudinem & constitucionem ville; sc̃do cōvictus paciat' judiciū pillorie; ꝑcio incarceret' & redimatur; quarto abjuret villam. Et hoc judiciū [stat[12]] de foristallariis [di ꝟsis[13]]; Et simili ꝑ de hiis qui consiliū vel auxiliū prestant vel favorem. [14]]

([15]) Si quis auť vendere ꝑsumat farinam avene sophisticam, vel aliquo alio modo fallaci, p'mo graviter puniatur; sc̃do cōvictus amittat totam farinam; ꝑcio subeat judiciū Pillorie; Quarto abjuret villam. ([16])

[8] festinat *MS. Cott.* [9] sitiens *Printed Copies.*
[10] qui *MS. Cott.* [11] illo qū eas apportaꝟit *MS. Cott.*
[12] fiet *MS. Cott.* [13] uniꝟsis *MS. Cott.*
[14] See Note 7—[14] in preceding Page.
[15] This Sentence, and that in Note [16] subjoined, are in some of the old Printed Copies given as a separate Instrument, intituled, 'De Venditione Farinæ.'

[16] Omnia prescripta firmiter ex ꝑte Reg̃ observentur, ita qđ si aliquis, major vel minor, contra statuta prescripta, ꝟbo, consilio, auxilio, vel favore, venire in aliquo ꝑsumpserit, tamq'm mandatoꝝ Dñi Regis contemptor capiatur & inprisonet'; nec a prisona deliberetur donec p mandatum Dñi Regis, & ejus breve expressum, deliberetur: et tradatur presens cedula majori & ballis & sex legalib3 de villa juratis, una cum standardo bussello, galone, ulna, & petra, observanda, et cū necc̃e fuit p eandem cedulam possunt cerciorari.

Assisa de ꝑonderib3 et Mensuris.

The ASSISE of WEIGHTS and MEASURES.*

Ex Lib. Horn. London' fo. 123.[1]

The Penny of Grains.

BY [Consent[1]] of the whole Realm (2) the King's Measure was made, so that an English Penny, which is called the Sterling, round without clipping, shall weigh Thirty-two Grains of Wheat dry in the midst of the Ear; † Twenty-pence make an Ounce; and Twelve Ounces make a Pound (3) and Eight Pounds make a Gallon of Wine; and Eight Gallons of Wine make a Bushel of London; which is the Eighth Part of a Quarter (4).

The Ounce.
The Pound.
The Gallon.
The Bushel.
The Quarter.

Stones.

The Sack of Wool.

A Sack of Wool ought to weigh Twenty-eight Stone, that is Three hundred and fifty Pounds, and in some Parts Thirty Stone, that is Three hundred and seventy-five Pounds, and they are the same according to the greater or lesser Pound; Six times Twenty Stone, that is fifteen hundred Pound, make a Load of Lead, to wit the great Load of London, but the Load of the Peak is much less.

[1] *an Ordinance* [2] of England
[3] *London, to wit, twenty shillings of Sterlings;*
[4] *of London. And Twelve pounds and a half make the Stone London.*

PER ordinacionem Tocius Angł regni, fuit mensura dñi Regis composita, videlicet, qđ denarius Anglicanus qui vocat' sterlyngus, rotundus & sine tonsura, ponderabit xxxij grana frumenti in medio spice. † Et uncia debet ponderaꝛ viginti denarios. Et duodecim uncie faciunt lib̃r Londoñ [viđ3. xx solidos st̃lingoꝝ.'] Et viij libre faciunt galonem vini. Et oc̃to galones vini faciunt bussellū Londoñ. Et oc̃to busselli faciunt quarꝛiū Londoñ. Et Duodecim lib̃r & dī faciunt petram Londoñ. ¶ Saccus lane debet ponderare xxviij petr̃, [hoc est CCC. & l. ti.'] Et in aliquib3 ptib3 xxx petr̃ [hoc est CCClxxv. ti.'] Et idem sunt sc̃dm majorem & minorem libram. ¶ Sexies viginti petre [hoc est xv C. ti.'] faciunt charrū plumbi scilic̃ magnū charrū Londoñ; S3 charrus del Pek est multo minus.

Denari[9] de g[a]nis
De uncia de libra
de galonis.
de busseł
De quarteꝛ
De Petris
De sac̃ Lane
de charro plūbi.

[1] Interlined.

* An Instrument, intituled 'Tractatus de Ponderibus & Mensuris,' is printed in Cay's Edition as of 31 *Edward* I. from *MS. Cott. Claudius D. II.* [*fo.* 259.] In Berthelet's *Secunda pars Vet. Stat.* 1532, is an Instrument, intituled, 'Compositio de Ponderibus' without any Date. The Copy in the Text is fuller than either: See in pa. 200 the Notes to Assisa Panis, &c.

† In Tottell's Magna Carta, &c. 1556, is inserted the following Article, intituled, 'De dimissione (erroneously for divisione) denariorum.' It is reprinted in Cay's Edition, and placed among the Statutes of uncertain Date.

Quia multorum Regum temporibus provisum fuit quod, propter pauperes, denarius argenti, cestascavoir Sterlingus, quotiens necessitas expostulat, divideretur in obolos & quadrantes; ex parte domini Regis districte precipitur, quod quicunque in emptionibus et venditionibus obolum seu quadrantem legalis metalli, & debitam habentem formam recusare presumpserit, tanquam regie majestatis contemptor capiatur, & in carcerem detrudatur. Preceptum est etiam quod subeat judicium pillorii.

¶ Item charrus plumbi constat ex xxx fotmals; Et quodlibet fotmal constat ex vj petris, ij lib̄ minus; Et quelibet petra constat ex xij lib̄; Et quelibet libra constat ex xxv ſ. in pondere. ¶ Sm[a] libraꝝ in le fotmal lxx li. ¶ Sm[a] petraꝝ in la charre viij[xx] & xv petr̄; Et probetur p sexies triginta que sunt novies viginti; Sꝫ in quolibꝫ fotmal subtrahunt[r] ij li a p̄dicta multiplicacione, que sunt [lxx[1]] li. constituentes v petr̄. Et ita sunt in la charre viij[xx] & xv petr̄, ut sup[a]dc̄m est. ¶ Sc̄dm vero quosdam alios la charre consistit ex xij Wayes, & hoc est sc̄dm troni ponderacionem, et tunc est sūma petraꝝ in la charr̄ viij[xx] & [xij[2]] & probetur p duodecies [Tresdecim.[3]] Wayes enī tam plumbi, q[a]m lane, lini, sepi, & casei, ponderant xiiij petras. Et due Waye faciunt unū saccum lane, & xij sacci constituūt le Last. ¶ Last vero alleciū [rubeoꝝ[4]] constat ex [xij[5]] miliaribꝫ, et quodlibꝫ miliare consistit ex x Centū. Et quodlibꝫ centum ex [v[x].[6]] [Itē le Last allecis albi apd̄ Londoñ vendit[r] p x miliar̄, & quodlꝫ miliar̄ constat ex xij cenť, & quodlꝫ centenar̄ ex v[xx]. Et hoc est g[a]riū rubeo allece, ut p̄dc̄m est.[7]] ¶ Item Last Corioꝝ ex xx Dykeres, et quodlibet Dacre constat ex x coreiis. Item Dacre Cirotecaꝝ ex x paribꝫ. ¶ Dacre vero ferroꝝ equoꝝ [C & x[8]] ferris. ¶ Item Duodena Cirotecarū, pargameni & allute, cōtinet in suo genere xij pelles, vel xij paria Cirotecaꝝ. ¶ Item Centena Cere, Zucarii, pipis, Cumiñ, amigdolaꝝ, & Aloyne continet xiij petr̄ & dimid, & quelibet petra cōtinet viij li. Sm[a] li in Centena C. & viij li; & consistit Centena ex v[xx] & quelibet libra ex xxv ſ. ¶ Et sciendū qd̄ quelibꝫ lib̄ de deñ & speciebꝫ & confeccionibꝫ, utpote in electuario, constat ex xx solidis; libra vero omniū aliaꝝ rerum constat ex xxv solid̄: Uncia vero in electuario, constat ex xx d̄; et Libra continet xii uncias: In aliis vero rebꝫ libra continet xv uncias: Uncia vero hinc inde est in pondere xx denarioꝝ. ¶ Centena bordi, lini, canabii & linee tele, consistit ex C. ulnis, & quelibet Centena constat ex vj[xx]. ¶ Centena vero ferroꝝ equoꝝ ex v[xx]. ¶ Garba [asceris[9]] constat ex xxx peciis. ¶ Item Señ vitri constat ex xx petr̄, & quelibꝫ petr̄ ex v lib̄r. Et ita consistit le Sem ex v[xx] lib̄r. ¶ Item duodena ferri ex vj peciis. ¶ Item binda anguillaꝝ constat ex x Stikes, et quelibꝫ Stik ex xxv anguillis. ¶ Bynda pelliū constat ex xxx Tymbres. ¶ Senellio Cuniculoꝝ & de griso constat ex x pellibꝫ. ¶ Chef de fustiane constat ex xiiij ulnis. (10) ¶ Le Res alliū continet xv Sloues, et quelibꝫ Sloue xxv capita continet. (11) Item Centena Mulwelloꝝ & duroꝝ Pisciū constat ex vj[xx] piscibꝫ, & aliquibꝫ & mltis locis ex ix[xx] & hoc ex dure pisce vocato Aberdene.

Nota de diu̅so ge̅re libraꝝ.

Sloue i gleues

[1] Sexaginta *Printed Copies.* lx. *MS. Cott.*
[2] viij } *Printed Copies.*
[3] quatuordecim }
[4] Interlined. [5] *altered from* x.
[6] *On an Erasure. Query* v[xx]? sexies viginti *Printed Copies.*
[7] *A subsequent Insertion at the Bottom of the Page.*
[8] viginti *Printed Copies.* [9] Chalybis, *Printed Copies.*
[10] Shef sindonis ex decem ulnis *Printed Copies.*
[11] *In the Margin is written* & si p̄va capita fuint tūc - -

The Load of Lead doth (1) consist of Thirty Formels, and every Formel containeth Six Stone, except Two Pound; and every Stone doth consist of Twelve Pound, and every Pound consisteth of the Weight of Twenty-five Shillings, whereby the Sum in the Formel is Seventy Pound. But the Sum of the Stones in the Load is Eight Times Twenty and Fifteen, and it is proved by Six Times Thirty which is Nine Times Twenty. But of every Formel there are abated Two Pound in the foresaid Multiplication, which are Sixty, which make Five Stone. And so there are in the Load Eight Times Twenty and Fifteen (2) as is aforesaid. According to some other, it consisteth of Twelve [Weights,[3]] and this is after Troy Weight. And the Sum of Stones in the Load is Eight Times Twenty and Eight Stones, and it is proved by Twelve Times Fourteen. [There is a Weight,[4]] as well of Lead as of Wool, (5) Tallow, and Cheese, [and weigheth[6]] Fourteen Stone. And Two [Weights[3]] of Wool make a Sack, and Twelve Sacks make a Last. But a Last of [Herrings[7]] containeth [ten[8]] thousand, and every Thousand containeth Ten hundred, and every Hundred [six[9]] score. (10). A Last of Leather doth consist of Twenty Diker, and every Diker consisteth of Ten Skins. And a Diker of Gloves consisteth of Ten Pair of Gloves. Item a Diker of Horse-shoes doth consist of [Ten[11]] Shoes. Item a Dozen of Gloves, Parchment, and Vellum in their Kinds contain Twelve Skins, and Twelve Pair of Gloves. Item a Hundred of Wax, Sugar, Pepper, [Cinamon, Nutmegs,[12]] and Allum, containeth Thirteen Stone and a Half, and every Stone Eight Pound. The Sum of Pounds in a Hundred One hundred and eight Pounds; and the Hundred consisteth of Five Times Twenty, and every Pound of Twenty-five Shillings. Item it is to be known, that the Pound of Pence, Spices, Confections, as of Electuaries, consisteth [in weight] of Twenty Shillings. But the Pound of all other Things weigheth Twenty-five Shillings. [Item of Electuaries and Confections the Pound containeth Twelve Ounces, and an Ounce hereof is of the Weight of Twenty-pence.[13]] Item a Hundred of (14) Canvass, and Linen Cloth consisteth of One hundred Ells, and every hundred containeth Six Score. But the hundred of [Iron and Shillings[15]] consisteth but of Five Score. (16). The Seeme of Glass containeth [Twenty-four[17]] Stone, and every Stone Five Pound. And so the Seeme containeth [Six[18]] score Pound. The Dozen of Iron consisteth of Six Pieces. A Bind of Eels consisteth of Ten Stikes, and every Stike Twenty-five Eels. But the Bind of Skins consisteth of [Thirty-three Skins.[19]] A Timber of Coney-Skins and Grayes consisteth of [Forty[20]] Skins. A Chef of Fustian consisteth of Fourteen Ells. [A Chef of Sindon containeth Ten Ells.] A Hundred of Garlike consisteth of fifteen Ropes, and every Rope containeth [fifteen[21]] Heads. [A Hundred of Hard Fish is Eight Score.[22]]

Of a Load &c. of Lead.

Weighs.

Lasts.

Dikers.

Dozens.

Hundreds.

The different Sorts of Pounds;

of Hundreds.

Other Weights and Measures.

[1] *also* [2] *Stone* [3] *Weighs*
[4] *For Weighs* [5] *Linen* [6] *do weigh*
[7] *Red-Herrings* [8] *twelve* [9] *five*
[10] *Also a Last of White Herrings at London is sold for ten thousand, and each thousand consists of twelve hundred, and each hundred of five score. And this is the contrary of Red-Herrings, as is aforesaid.*
[11] *twenty* [12] *Cummin, Aimonds,*
[13] *But in Electuaries the Ounce consisteth of twenty-pence, and the Pound contains twelve Ounces: but in other things the Pound contains fifteen Ounces: but the Ounce in either case is in weight twenty-pence.*
[14] *Bord, Linen,* [15] *Horse-shoes*
[16] *The Sheaf of Steel consisteth of thirty pieces.*
[17] *twenty* [18] *five*
[19] *thirty Timbres.* [20] *ten* [21] *twenty-five.*
[22] *Also a Hundred of Mulvells and Hard Fish consists of six score Fish, and in some and many places of nine score; and this of the hard Fish called Aberdene.*

Statutum de Admensuratione Terre.*

STATUTE FOR THE MEASURING OF LAND.

The Manner of admeasuring Land, Meadow, Wood, Pasture, Heath Land, and the like.

Hereunder mention is made of the measuring of Land, and of the Yard of our Lord the King.

WHEN an Acre of Land containeth Ten Perches in Length, then it shall be in Breadth Sixteen Perches. When Eleven in Length, then Fourteen Perches and a half, and one Foot and five Inches. When Twelve in Length, then Thirteen Perches, one quarter of a Perch, one Foot, and one Inch and a half. When Thirteen in Length, then Twelve Perches, one Quarter, and one Foot. When Fourteen in Length, then Eleven Perches, one quarter, one Foot, one Inch and a half. When Fifteen in Length, then Ten Perches and one half in Breadth. When Sixteen in Length, then Ten Perches in Breadth. When Seventeen in Length, then Nine Perches, one quarter, two Feet and a half, and one Inch and a half. When Eighteen in Length, then Eight Perches and a half, one quarter, two Feet and one Inch and a half. When Nineteen in Length, then Eight Perches, one quarter, two Feet and a half, and four Inches. When Twenty in Length, then Eight Perches in Breadth. When Twenty-one in Length, then Seven Perches and a half, two Feet, and three Inches. When Twenty-two in Length, then Seven Perches, one quarter, and five Inches. When Twenty-three in Length, then Seven Perches, one quarter, and four Inches. When Twenty-four in Length, then Six Perches and a half, two Feet and a half, and two Inches. When Twenty-five in Length, then Six Perches, and two Feet and five Inches. When Twenty-six in Length, then Six Perches and two Feet. When Twenty-seven in Length, then Five Perches and a half, one Quarter, two Feet and a half, and one Inch. When Twenty-eight in Length, then Five Perches and a half, and four Inches. When Twenty-nine in Length, then Five Perches and a half. When Thirty in Length, then Five Perches, one quarter, two Feet and a half, and one Inch. When Thirty-one in Length, then Four Perches and a half, one quarter, six Feet and a half, and one Inch. When Thirty-two in Length, then Four Perches and a half, one quarter, three Feet, and three Inches. When Thirty-three in Length, then Four Perches and a half, one quarter, and two Feet and five Inches. When Thirty-four in Length, then Four Perches and a half, three Feet, and three Inches and a half. When Thirty-five in Length, then Four Perches and a half, one Foot, and two Inches. When Thirty-six in Length, then Four Perches, one quarter, and three Feet, and one Inch. When Thirty-seven in Length, then Four Perches, one quarter, and one Foot, and one Inch. When Thirty-eight in Length, then Four Perches, and three Feet, and five Inches. When Thirty-nine in Length, then Four Perches, and two Feet, and two Inches. When Forty in Length, then Four Perches in Breadth. When Forty-one in Length, then Three Perches and a half, one quarter, and two Feet, and five Inches. When Forty-two in Length, then Three Perches and a half, one quarter, and one Foot, and two Inches. When Forty-three in Length, then Three Perches one half, and one quarter. When Forty-four in Length, then Three Perches and a half, and two Feet.

Ex Lib. Horn. London, pa. 124.

Modus amensurandi ꝑram, p^{a}tum, boscū, pasturam, Brueram, & hujusmōi.

Hic inferius facit mensionem de mensuracõe ꝑre, & de uñ dñi ℟.

QUANDO Acr̄ ꝑre ꝯtinet x ptic̄ in longitudine, tunc xvj partic̄ in latitudine.

Qñ xj longᵹ, tunc xiiij ptic̄ dimid, [I q^{a}rꝑ '] & i. ped, & v pollic̄.

Qñ xij longᵹ, tunc xiij ptic̄, i quarꝑ ptice, i pedē, i pollicē & dimid.

Qñ xiij longᵹ, tunc xij ptic̄, i q^{a}rꝑ, i ped.

Qñ xiiij longᵹ, tūc xj ptic̄, i q^{a}rꝑ, i ped, i pollic̄ & dī.

Qñ xv longᵹ, tūc x ptic̄ dī in latitud.

Qñ xvj loñgtñe, tunc x ptic̄ latitudine.

Qñ xvij longᵹ, tūc ix ptic̄, i q^{a}rꝑ, ij ped & dī, i poll & dī.

Qñ xviij longᵹ, tūc viij ptic̄ & dī, i q^{a}r, ij ped, i poll & dī.

Qñ xix longᵹ, tūc viij p̄t̄, i q^{a}rꝑ, ij ped & dī, & iiij poll.

Qñ xx longᵹ, tunc viij ptic̄ latitudine.

Qñ xxj longᵹ, tunc vij p̄t̄ & dī, ij ped, & iij pollic̄.

Qñ xxij longᵹ, tūc vij p̄t̄, i q^{a}r̄, & v pollic̄.

Qñ xxiij longᵹ, tūc vij p̄t̄, i q^{a}r̄ & iiij pollic̄.

Qñ xxiiij longᵹ, tūc vj ptic̄ & dī, ij ped & dī, & ij poll.

Qñ xxv longᵹ, tūc vj p̄t̄, & ij ped, & v pollic̄.

Qñ xxvj longᵹ, tūc vj p̄t̄ & ij ped.

Qñ xxvij longᵹ, tūc v p̄t̄ dī, i q^{a}r, ij ped & dī & i poll.

Qñ xxviij longᵹ, tūc v p̄t̄ dī & iiij poll.

Qñ xxix longᵹ, tūc v p̄t̄ & dī.

Qñ xxx longᵹ, tūc v p̄t̄, i q^{a}r̄, ij ped & dī, & i poll.

Qñ xxxj longᵹ, tūc iiij p̄t̄ & dī, i q^{a}r̄, vj ped & dī, & i poll.

Qñ xxxij longᵹ, tūc iiij ptic̄ & dī, i q^{a}r̄, iij ped & iij poll.

Qñ xxxiij longᵹ, tūc iiij p̄t̄ dī, I q^{a}rꝑ, & ij ped, & v poll.

Qñ xxxiiij longᵹ, tūc iiij p̄t̄ dī, iij ped, & iij poll & dī.

Qñ xxxv longᵹ, tūc iiij p̄t̄ dī, & i ped, & ij poll.

Qñ xxxvj longᵹ, tūc iiij p̄t̄, I q^{a}rꝑ, & iij ped, & i pollic̄.

Qñ xxxvij longᵹ, tūc iiij p̄t̄, i q^{a}rꝑ, & i ped, [& i ped.[2]]

Qñ xxxviij longᵹ, tūc tūc iiij p̄t̄, & iij ped, & v poll.

Qñ xxxix longᵹ, tūc iiij p̄t̄, & ij ped & ij pollic̄.

Qñ xl p̄t̄ longᵹ, tunc iiij p̄t̄ latitudine.

Qñ xlj longᵹ, tūc iij p̄t̄ dī, I q^{a}rꝑ, ij ped & v poll.

Qñ xlij longᵹ, tūc iij p̄t̄, dī, I q^{a}rꝑ, & i ped, & ij poll.

Qñ xliij longᵹ, tūc iij p̄t̄, dī, & i q^{a}r.

Qñ xliiij longᵹ, tūc iij p̄t̄ & dī, & ij ped.

[1] *Struck through with a Line.* [2] *Lib. Cust. Lond.* 167. omits.

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* This Title is from the Copy in Tottell's Magna Carta, &c. 1556, where this is given as a Statute of 33 Edw. I. The Calculation there, as also in the older Printed Copies and Translations, is much shorter than that in the Text. The following short Article, intituled, 'Compositio Ulnarum & Perticarum,' is inserted in *MS. Cott. Claudius D. II. fo.* 241 b. and in some of the Old Printed Copies: The Translation, is from Rastall's Collection; 1603.

Ordinatum est qd tria gᵃna ordei sicca & rotunda faciunt pollicem; duodecim pollices faciunt pedem; tres pedes faciunt ulnam; quinq; ulne et dimidia faciunt pticam; & quadraginta ptice in longitudine, & quatuor in latitudine faciunt unum Acram.

It is Ordained that three Grains of Barley dry and round do make an Inch; Twelve Inches make a Foot; Three Feet make a Yard; Five Yards and a Half make a Perch; and Forty Perches in Length and Four in Breadth make an Acre.

Qñ xlv long̃, tūc iij p̄, dī, & j ped, & ij pollic̄.

Qñ xlvj long̃, tunc iij p̄ & dī, & ij poll.

Qñ xlvij long̃, tunc iij p̄, I q^{a}r^{ta}, ij ped & dī, & j poll.

Qñ xlviij long̃, tunc iij p̄, I q^{a}r^{ta}, & i ped, & iij poll & dī.

Qñ xlix long̃, tūc iij p̄, I q^{a}r^{ta}, & iij poll.

Qñ l. p̄ long̃, tūc iij p̄, & iij ped, ij poll. & dī.

Qñ lj long̃, tunc iij p̄, & j ped & dī, & iiij poll.

Qñ lij long̃, tūc iij p̄, & i pes, & iij pollic̄.

Qñ liij long̃, tūc iij p̄ & iij pollic̄.

Qñ liiij long̃, tūc ij p̄ dī I q^{a}r^{ta}, iij ped, & iiij poll.

Qñ lv long̃, tūc ij p̄ dī I q^{a}r^{ta}, ij ped & dī, & i poll.

Qñ lvj long̃, tūc ij p̄ dī j q^{a}r^{ta}, ij ped, & iij poll.

Qñ lvij long̃, tūc ij p̄ & dī, j q^{a}r, i pes, & ij poll.

Qñ lviij long̃, tūc ij p̄ & dī, j q^{a}r, dī ped.

Qñ lix long̃, tūc ij p̄ & dī, & j q^{a}r.

Qñ lx p̄ long̃, tūc ij ptic̄ & dī, & iij pedes. (*a*)

Qñ lxj long̃, tūc ij p̄ & dī, j ped & dī.

Qñ lxij long̃, tūc ij ptic̄ & dī, & [i ped, & iiij poll.']

Qñ lxiij lōg̃, tūc ij p̄ & dī, dī pedē, & v pollic̄.

Qñ lxiiij lōg̃, tūc ij p̄ & dī.

Qñ lxv lōg̃, tūc ij ptic̄, j q^{a}r, iij ped & dī, & iiij poll.

Qñ lxvj lōg̃, tūc ij ptic̄, j q^{a}r, ij ped & dī, & iiij poll.

Qñ lxvij long̃, tūc ij ptic̄, j q^{a}r, & ij ped.

Qñ lxviij long̃, tūc ij ptic̄, j q^{a}r, i pedē & dī, & j poll.

Qñ lxix long̃, tūc ij ptic̄, j q^{a}r, j ped, & v poll.

Qñ lxx long̃, tūc ij ptic̄, j q^{a}r̄, dī ped, & iij poll.

Qñ lxxj long̃, tūc ij ptic̄, j q^{a}r̄, & iij poll.

Qñ lxxij lōg̃, tūc ij p̄, iij ped & dī, & j poll.

Qñ lxxiij lōg̃, tūc ij p̄, iij ped, & ij poll.

Qñ lxxiiij long̃, tūc ij ptic̄, ij ped & dī, & j poll.

Qñ lxxv long̃, tūc ij p̄ & ij ped.

Qñ lxxvj lōgiť, tūc ij p̄, j ped & dī, & iij poll.

Qñ lxxvij lōgiť, tūc ij p̄, j ped, & iij pollic̄.

Qñ lxxviij long̃, tūc ij p̄, dī ped, & ij pollic̄.

Qñ lxxix lōg̃, tūc ij ptic̄ & iiij pollic̄.

Qñ lxxx lōg̃, tūc latitudīe ij ptic̄.

Et M^{a}, qđ ulna Dñi Reg̃ ferrea, continet iij pedes, & non plus. Et pes debet contin̄e xij pollices p rectā mēsurā h^{o}i ulne metitā; vidz tricesima sexta ps dce ulne recte metita facit j. pollicē, n^{c} plus n^{c} min^{o}. Et q^{d}nz ulne & dī facit j. pticam, i, sexdecī pedes & dimid metiť p predčam ulnam dñi R̄ ferream.

' On an Erasure.

When Forty-five in Length, then Three Perches and a half, and one Foot, and two Inches. When Forty-six in Length, then Three Perches and a half, and two Inches. When Forty-seven in Length, then Three Perches, one quarter, two Feet and a half, and one Inch. When Forty-eight in Length, then Three Perches, one quarter, one Foot, and three Inches and a half. When Forty-nine in Length, then Three Perches, one quarter, and three Inches. When Fifty Perches in Length, then Three Perches and three Feet, two Inches and a half. When Fifty-one in Length, then Three Perches, and one Foot and a half, and four Inches. When Fifty-two in Length, then three Perches, and one Foot, and three Inches. When Fifty-three in Length, then Three Perches, and three Inches. When Fifty-four in Length, then Two Perches and a half, one quarter, three Feet and four Inches. When Fifty-five in Length, then Two Perches and a half, one quarter, two Feet and a half, and one Inch. When Fifty-six in Length, then Two Perches and a half, one quarter, two Feet, and three Inches. When Fifty-seven in Length, then Two Perches and a half, one quarter, one Foot and two Inches. When Fifty-eight in Length, then Two Perches and a half, one quarter, and half a Foot. When Fifty-nine in Length, then Two Perches and a half, and one quarter. When Sixty Perches in Length, then Two Perches and a half, and three Feet. When Sixty-one in Length, then Two Perches and a half, one Foot and a half. When Sixty-two in Length, then Two Perches and a half, and one Foot, and four Inches. When Sixty-three in Length, then Two Perches and a half, half a Foot, and five Inches. When Sixty-four in Length, then Two Perches and a half. When Sixty-five in Length, then Two Perches, one quarter, three Feet and a half, and four Inches. When Sixty-six in Length, then Two Perches, one quarter, two Feet and a half, and four Inches. When Sixty-seven in Length, then Two Perches, one quarter, and two Feet. When Sixty-eight in Length, then Two Perches, one quarter, one Foot and a half, and one Inch. When Sixty-nine in Length, then Two Perches, one quarter, one Foot, and five Inches. When Seventy in Length, then Two Perches, one quarter, half a Foot, and three Inches. When Seventy-one in Length, then Two Perches, one quarter, and three Inches. When Seventy-two in Length, then Two Perches, three Feet and a half, and one Inch. When Seventy-three in Length, then Two Perches, three Feet, and two Inches. When Seventy-four in Length, then Two Perches, two Feet and a half, and one Inch. When Seventy-five in Length, then Two Perches, and two Feet. When Seventy-six in Length, then Two Perches, one Foot and a half, and three Inches. When Seventy seven in Length, then Two Perches, one Foot, and three Inches. When Seventy-eight in Length, then Two Perches, half a Foot, and two Inches. When Seventy-nine in Length, then Two Perches, and four Inches. When Eighty in Length, then in Breadth Two Perches.

And Be it Remembered, That the Iron Yard of our Lord the King, containeth three Feet and no more. And a Foot ought to contain Twelve Inches, by the right measure of this Yard measured; to wit, the Thirty-sixth Part of this Yard rightly measured maketh one Inch, neither more nor less. And Five Yards and a half make one Perch, that is Sixteen Feet and a half, measured by the aforesaid Iron Yard of our Lord the King.

(*a*) The original Entry appears to have ended here: What follows is written at the Bottom of some subsequent Pages, beneath other Matter of a different Nature.

General Days in Bank.

If a Writ come in the Utas of St. Michael a Day shall be given thereupon unto the Utas of St. Hilary; And if it come in the Quinzime of St. Michael, Day shall be given unto the Quinzime of St. Hilary; If it come in the three Weeks after St. Michael, the Day shall be crastino Purificationis; If within a Month after Michaelmas, in the Utas of the Purification; If in crastino Animarum, then in the Quinzime of Easter; If in crastino Martini, then in the three Weeks after Easter; If in the Utas of St. Martin, then in Easter Month; If in the Quinzime of St. Martin, then within five Weeks after Easter; and also there is Day specially given in crastino Ascensionis, and it countervaileth as much as within five Weeks after Easter; If in the Utas of St. Hilary, in the Utas Trinitatis; If in Quindena Hilarii, then in Quindena Trinitatis, and sometime in Crastino of St. John Baptist; If in Crastino Purificationis, then in Crastino and Utas of St. John Baptist; If in the Utas of the Purification, then in Quindena of St. John Baptist; If in Quindena Paschæ, then in the Utas of St. Michael; If within three Weeks after Easter, then in Quindena of St. Michael; If within Easter Month, then within three Weeks of the Feast of St. Michael; If within five Weeks after Easter, or in Crastino Ascensionis, then within a Month after the Feast of St. Michael; If in the Utas of the Trinity, then in Crastino Animarum; If in Quindena Trinitatis, or in Crastino of St. John Baptist, then in Crastino Martini; If in the Utas of St. John Baptist, then in the Utas of St. Martin; If in Quindena of St. John Baptist, then Day shall be given unto Quindena Martini. And so every Term shall answer to other.

Dies Communes de Banco.*

Ex Lib. Horn, fo. 157.

SI bře venit in Octab Sči Michis dabit[r] dies
In Octab Sči Hillař.

Si in q[l]ndena Sči Michis	In q[l]ndena Sči Hillař
Si in trib3 sep[a]nis Sči Michis	In Crastino Purificacionis
Si in Mens Sči Mich̃	In Octab Purificacionis
Si in Crastino Animaz̃	In q[l]ndena Pasch̃
Si in Crastino Sči Martini	In trib3 sep[a]nis Pasch̃
Si in Octab Sči Martini	In Mens Pasch̃
Si in q[l]ndena Sči Marť	In q[l]nq̃ sep[a]nis Pasch̃
Et est quidam dies speciał datus	In Crastino Ascensionis
Dñi & tantum valet q[a]m	quinq̃ septimanas Pasch̃.
Si in Octab Sči Hillař	In octab Sče Trinitatis
Si in quindena Sči Hillař	In q[l]ndena Sče Trinitatis (1)
Si in Crastino Purificacionis	In [crastino [2]] Sči Johnis
Si in Octab Puř	In [Octab [3]] Sči Johnis
[[4] Si in q[l]ndena Pasche	In Octab Sči Michis
Si in tres septimanas Pasche	In quindena Sči Michis
Si in mense Pasche	In tres septimanas Sči Michis
Si in q[l]nq̃ septimanas Pasche, vel in C[a]stino ascenč dñi	In mense Sči Michis [4]
Si in Octab Sče Trinitať	In Crastino Animaz̃
Si in q[l]ndena Sče Trinitatis ([5])	In Crastino Sči Martini
Si in [Crastino [6]] Sči Johnis	In Octab Sči Martini
Si in [Octab [7]] Sči Johnis	In q[l]ndena Sči Martini. ([8])

[1] & aliquando in Crastino sči Johis Bapte *MS. Cott.*
[2] Octab *MS. Cott.* / Crastino & in Octabis *Printed Copies.*
[3] quindena *MS. Cott.* [4] From *MS. Cott.*
[5] vel in crastino sči Johis Baptiste, [6] octab [7] quindena *MS. Cott.*
[8] Et sic respondet quilibet ꝑminus alii.

General Days in Dower.

If the Writ do come in Octabis Michaelis, Day shall be given until Crastino Animarum; If it come in Quindena Michaelis, Day shall be given until Crastino Martini; If within three Weeks after the Feast of St. Michael, then in Octabis Martini; If in Mense Michaelis, then in Quindena Martini; If in Crastino Animarum, then in Octabis Hilarii; If in Crastino Martini, then in Quindena Hilarii; If in Octabis Martini, then in Crastino Purificationis; If in Quindena Martini, then in Octabis Purificationis; If in Octabis Hilarii, then in Quindena Paschæ; If in Quindena Hilarii, then in Tribus septimanis Paschæ; If in Crastino Purificationis, then in Mense Paschæ; If in Octabis Purificationis, then in Crastino Ascensionis; If in Quindena Paschæ, then in Octabis Trinitatis; If in Tribus septimanis Paschæ, then in Quindena Trinitatis; If in Mense Paschæ, then in Crastino Johannis Baptistæ; If in Quinque septimanas Paschæ, then in Octabis Johannis; If Crastino Ascensionis, then in Quindena Johannis; If in Octabis Trinitatis, then in Octabis Michaelis; If in Quindena Trinitatis, then in Quindena Michaelis; If in Crastino Johannis Baptistæ, then in Tribus septimanis Michaelis; If in Octabis Johannis Baptistæ, then in Mense Michaelis; If in Quindena Johannis Baptistæ, then in Crastino Animarum.

Dies Communes de Dote.*

Ex Lib. Horn, fo. 157.

Ab Octab Sči Michis	In Crastino Animaz̃
A q[l]ndena Sči Michis	In Crastino Sči Martini
A trib3 sep[a]nis Sči Mich̃	In Octab Sči Martini
A Mens Sči Mich̃	In quindena Sči Martini
A Crastino Animaz̃	In Octab Sči Hillař
A Crastino Sči M[a]tini	In q[l]ndena Sči Hillař
Ab Octab Sči M[a]tini	In Crastino Purificacionis
A q[l]ndena Sči M[a]tini	In Octab Purificacionis
Ab Octab Sči Hillař	In q[l]ndena Pasch̃
A q[l]ndena Sči Hillař	In trib3 sep[a]nis Pasch̃
A Crastino Purificacionis	In Mens Pasch̃
Ab Octab Purificacionis	[In q[l]nq̃ sep[a]nis Pasch̃ [1]]
A q[l]ndena Pasch̃	In Octab Sče Trinitatis
A trib3 sep[a]nis Pasch̃	In q[l]ndena Sče Trinitať
A Mens Pasch̃	In Crastino Sči Johnis
A quinq̃ sep[a]nis Pasch̃	In Octab Sči Johni
A Crastino Ascencionis dñi	In q[l]ndena Sči Johnis
Ab Octab Sče T[l]nitatis	In Octab Sči Michis
A quindena Sče Trinitatis	In quindena Sči Michis
A Crastino Sči Johnis	In t[l]b3 sep[a]nis Sči Michis. ([2])
Ab Octab Sči Johnis	

[1] in Crastino Ascens̃ dñi *MS. Cott*; *Old Printed Copies.*
[2] Si in quindena sancti Johannis Baptiste in crastino animarum. *Old Printed Copies.*

* This and the succeeding Instrument have been usually printed as of 51 Hen. III. By Cay they are classed as Statutes 2 and 3 of that Year; and are printed from the Copy in *MS. Cott. Claudius D. II.* [fo. 237.] which, though in many Instances erroneous, supplies some Deficiencies of the Copy in *Lib. Horn.*

Prohibitio formata de Statuto Articuli Cleri.*

A Prohibition made upon the Articles of the Clergy.

EDWARDUS, &c. Prelatis, Archidiač, Offič, & aliis ministris ecclesiasticis per dioceš Norw, constituť salutem. Cum cognitiones placitorū sup feodalibus et libertatibus feodaliū, districtionib⁹, officiis ministrorū, executionibus judiciorum corone nostre, transgressionibus cōtra pacem nostram factis, [telonū [1]] negationibus, consuetudinibus secularib⁹, attachiamentis vi laica, malefactoribus rectatis, roberiis, arestacionibus, maneriis, advocationibus ecclesiarum, cōventionib⁹, sufficientib⁹ assisis, juratis, recognitionib⁹ laicum feodū cōtingentibus, & rebus aliis, ac causis pecuniarū et de aliis catallis et debitis, que, non de testamento vel matrimonio, ad coronam et dignitatem nr̄am ptineant, eisdem regno de consuetudine ejusdem regni appbata et hacten⁹ observata. Et proceres seu magnates, aut alii de eodem regno, temporibus nostroz predecessoz regū Anglie, seu nostro, autoritate alicujus non consueverunt contra consuetudinē illā super hujusmodi rebus in causa trahi, vel cōpelli ad comparendum coram q°cunque Judice ecclesiastico: Nosq, et progenitores nostri et consuetudine predicta pro nobis et aliis de ipso regno [ubi [2]] fuerimus semp libertatibus hujusmodi, tanq̄ pertinentib⁹ ad regiam dignitatem nostrā: Ac vos et ministri vestri de comunitate com̄ nostrorum Norff' et Suff' qui pro hujusmodi reb⁹ per vices pro voluntatibus vestris trahitis in placitis coram vobis in Cuť Christianitatis sič ex relatu fidedignorum pro certo accepimus; vobis prohibemus, ne placitū illud teneatis in Cuť Christianitatis, maxime cum hujusmodi placita ad nos et non ad alium ptineant in eodem regno; Ac nos super his et aliis, quorum cognitio ad nos pertinet, parati sumus quibuscunq, p nos et mnistros nostros in cuť nostra plenam et celerem justiciam exhibeť. Mandamus autem dilecto & fideli nostro R. et vič nostro com̄ predictoz, quod premissa vobis et aliis in partibus illis, et talia cōsimilia in prejudicium dignitatis nostre regie acceptantibus, firmiter inhibeant ex parte nostra: Et qd si qui vestri hujusmodi placita teneant, vel si qui ea sequantur corā vobis in Cuť Christianitatis contra phibitionem nostram predictam, dicť vič vos et alios hujusmodi placita tenentes, vel sequentes, ponant per vadios et salvos plegios, quod sitis vel sint coram Justič nostris apud Westm̄ ad certum diem ad respond coram eis superpremissis, & ad faciend ulterius, quod hactenus in hujusumodi casibus et consimilibus fieri consuevit; Et quod non pmittant quod aliqui laici in balliva sua in aliquib⁹ locis conveniant ad aliquas recognitiones per sacramenta sua fač, nisi in causis matrimonialibus, et testamentař; Et ne super hujusmodi feodis, debitis, et catallis, et coram vobis et aliis judicibus ecclesiasticis, in prejudicium jurisdictionis nostre regie ad coronam & dignitatem nostrā spectanť, subiť presumant. Et quod quid vos in hac parte de his feceritis, reddant nos ad plenū certiores. In cuj⁹ rei testim̄, &c. T. &c.

[1] felonum 2 *Inst.* 600. [2] *Read* usi

EDWARD, &c. To the Prelates, Archdeacons, Officials, and other Ministers Spiritual through the Dioeese of Norwich, Greeting: Whereas Cognizances of Pleas upon Feodals, and Liberties of Feodals, Distresses, Offices of Minister, Executions (') done against our Peace, Denials of Felons, Customs Secular, Attachments Vi laica, Malefactors accused, Robberies, Arrests, Manors, Advowsons of Churches, [sufficient Covenants, Assizes,[2]] Juries, Recognitions touching Lay Fee, and other Matters and Causes of Money, and of other Cattels and Debts, which are not of Testament or Matrimony, pertain to our Crown and Dignity, by Custom approved and hither-unto observed in the same Realm: And the high or noble Men, or other of the same Realm in the Time of our Ancestors Kings of England, or of our Time, by any Mans Authority have not used against such Custom upon any such Matters to be drawn in Suit, or compelled to appear before any Spiritual Judge: And We and our Predecessors, for Us and others of the same Realm, have always used such Liberties as pertain to our Regal Dignity; and you and your Ministers do draw before you in the Spiritual Court them of the Commonalty of our Counties of Norff. and Suff. for such Things at sundry Times at your Pleasures, as by relation of our welbeloved, we have for certainty heard say: We prohibit you, that you hold no such Plea in the Spiritual Court, chiefly seeing such Pleas appertain unto Us, and not to any other in the same Realm: And We upon these and other, the Cognizance whereof pertaineth unto Us, are ready by Us and our Ministers in our Court, to give full and speedy Justice to any whatsoever; and We command our well-beloved and faithful R. and our Sheriffs of our foresaid Counties, that they straightly forbid on our behalf, you and other as shall attempt such Things in prejudice of our regal Honor: And that if any of you hold such Pleas, or if any prosecute the same before you in the Spiritual Court against our Prohibition aforesaid, that our said Sheriff bring you and such others holding and following such Pleas, by Sureties and safe Pledges, that you or they be before our Justices at Westminster at a certain Day, to answer before them upon the Premises, and to do further, which hitherunto in such Cases and the like hath been accustomed to be done: And that they suffer not that any Laymen within their Bailiwick, come together in any Places to make any such Recognitions by their Oaths, except in Causes of Matrimony and Testamentary: And that they yield not to pass upon such Fees, Debts, and Cattels before you, and other Spiritual Judges in prejudice of our Princely Jurisdiction belonging to our Crown and Dignity: And that which you shall do of those Matters in this Behalf he do fully give us to understand. In Witness whereof, &c. Witness, &c.

Cognizance of Common Law Pleas.

Usurpation thereof by Ecclesiastical Judges forbidden.

Offenders shall be attached.

Laymen shall not answer in such Matters.

[1] *of the Judgments of our Crown, Trespasses*

[2] *Covenants, sufficient Assizes.*

* This is printed from the Copy in Berthelet's 'Secunda Pars Veterum Statutorum' 1532. See 2 *Inst.* pa. 600, that this Prohibition was framed on certain Articuli Cleri 51 Hen. III. The Translation is from Rastall's English Collection, 1603.

Les Estatuz de Excestre.

The STATUTES of EXETER.*

THIS is the Form ordained by the King and his Council, whereby the Inquirers ought to take the Inquests against a Coroner, how he hath borne himself in his office.

Proceedings of Enquirers in summoning Bailiffs of Hundreds, &c.

It is Provided and Ordained, That the Enquirers shall command the Sheriff of the place, that he do cause to come at a certain day, and at a certain place, which shall be assigned him by the aforesaid Enquirers, all the Bailiffs within the Wapentakes, Hundreds, and Franchises, that are and have been Bailiffs or Beadles, if they be living, during the Time when P. de C. was the Coroner of our Lord the King in that County; that is to say, all that are and have been Bailiffs or Beadles within the Precinct of the Bailiwick belonging to that Coroner, or without, if need be. And that they do also cause to come before them the Coroner concerning whom they take the Inquest, with all his Rolls of the whole Time of his being Coroner of our Lord the King, and all his Clerks who are living. And the Enquirers shall forthwith safely seal, with their Seals, all the Rolls of the aforesaid Coroner, and redeliver them to the Coroner, that he may have them ready when the Justices in Eyre shall come to sit in that County, or that the King shall otherwise ordain in the matter. And if the Coroner be dead, after the same Manner shall it be done to his Heir, for his Father's Time; so that neither the Coroner nor his Heir, nor their Clerks may forge the Rolls against the coming of the Justices, nor otherwise do any thing, in what may respect the Crown, to the prejudice of the King and Damage of the People, and in Hindrance of any Man's Right, as they have heretofore done. And, afterwards the Enquirers before named shall cause all the aforesaid Bailiffs to swear, that they will well and faithfully do that which they shall give them in charge on the King's Behalf, and keep the King's Counsel. And then when they shall have made the Oath, every Bailiff of a Wapentake, Hundred, and Franchise shall be severally charged to bring before the Enquirers aforesaid, at a Day, in a Place certain, that shall be given him by them, the Names of all the Towns, Half-towns, and Hamlets within his Wapentake, Hundred, and Franchise, written in a Roll, and at the same Day and Place shall deliver them to the aforesaid Enquirers: And afterwards the Enquirers shall charge the aforesaid Bailiffs to cause to come before them, at a certain Day and Place which they shall appoint, from each Town eight Men, from an Half-town six Men, and from an Hamlet four, of the best and most lawful Men, except the Lords of such Towns, Half-towns, and Hamlets aforesaid, by whom the aforesaid Enquirers shall take the grand Inquest of twelve, of each Wapentake, Hundred, and Franchise, and Town answering by twelve, if there be any in the Precinct aforesaid; and every one of the aforesaid eight, six, and four

Sealing up the Coroner's Rolls.

Oath and Charge of Bailiffs.

Forming the Grand Inquest.

Ex Lib. Scacc. X. Westm. fo. 38.

[CEO est la fourme ordine par le Rey e son conseil, coment les Enquerors deivent p̃ndre les enquestes sur coruner coment il se ad porte en son office.[1]]

PORVEU est e ordine ke les Enquerors maundent au Viscounte del liu, kil face venir a un ćtein jor e ćtein liu ke maunde li serra par les avaũt diz Enquerors tuz les Baillifs de denz les Wapentacles, Hundrez, F"nchises ł sunt e unt estee Baillifs ou bedeus sil en vie seient du tẽs ł P. de C. fust Corũ nr̃e Seign^r le Rey en cel Counte; ceo fet a entendre tuz les Baillifs ou bedeus ke sunt e ke unt estee de denz la porcente de la Baillie aportenaũt a cel Corõ ou dehors si mes̃ seit. E kil facent ausy venir devaũt eus le Coroner de ky il p̃ndrent lenqueste o tuz ces Roules de tut son tens kil fust Corõ nr̃e Seign^r le Rey, e tuz ces Clers ken vie sunt. E les Enquerors meintenaũt de suz lur seals tuz les roules lavauntdit Corõ sauvement les enselent si les rebailẽt al Corõ kil les eit prest quel hure ke les Justices en Eyre vengent seer en cel countee, ou ke le Rey ordeine autrement de ceste chose. E si le Corõ seit mort, seit fet en meme la manere a son heir del tens son pere; issi ke le Coroner ne son heir ne lor Clers pussent forger lur roules encountre la venue des Justices, ne autrement, ke seient en les poinz de la Corone en p̃judice le Rey, e damage du poeple e en arerisement de dreit a nuly, cum avaũt ces hures unt fet. E ap̃s facent les avaũt nomez Enquerors tuz les avaũt diz Baillifs jurer ke ben e lealment frunt ceo ke eus lur chargerunt de part le Rey, e le cõseil le Rey celerunt. E pus k"nt il averunt fet le serement, seit checun Baillif de Wape, Hundred e F"nchise chargee p sey kil eit devaunt les avaũtdit Enquerors, au jor en liu certein ke donee ly serra par eus, les nuns de totes les viles demie viles, e hamelez ke sunt en son Wap̃ Hundred e F"nchise esc'z en roule, e a meme le jor e meme le liu les delivre sus as avauntdis Enquerors: e ap̃s chargent les Enquerors les avauntdiz Baillifs au jor e en liu ćtein kil ordeinent e facent venir devaũt eus de checune vile huit houmes, e de demye vile sys houmes, e de hamelet q"tre des meillurs e plus leauz genz, hor'p's les Seignurages de viles, demie viles e hamelez avaunt nomez p queus les avaũt nomez Enquerors p̃ndrunt la g"nt enqueste de duzze, de checun Wap̃ Hundred e F"nchise e Vile ke respunt par duzze sy en la porceinte avãt dit seit; e checun des avaũtdiz huit e sis e q"tre

[1] *MS. Cott*: and *Printed Copies*, omit this Sentence.

* In the Printed Copies this Statute is ascribed to 14 Edw. I. It is printed as Two Instruments, the first intituled 'Statutum Exonie de Inquisitione facienda super Coronatores,' and the second, 'Articuli super precedens Statutum Exonie.' No Translation either of the Statute or Articles has been printed in any Copy of the Statutes at large; but in Rastall's English Collection is contained an incorrect and imperfect Translation of the Statute only. The Statute and the Articles were printed by Cay from *MS. Cott. Claudius D. II.* [fo. 228 *b* and 256 *b*, as separate Articles.] In *MS. Harl.* 395, fo. 65, *b*. the Statute and the Articles form one Instrument, as in the Text, with the Title "Statuta edita apud Exoniam."

houmes eyt seal. E si defaute seit en les avauntdite viles, demie viles, hamelez ke il ny eyent taunt de f^ncs houmes, seient ajoynz de meillors e des plus sages e leals bundes e ke checun eyt seal. E a donkes elisent les Enquerors hors des huit, sis; e de sis, q^tre; e de q^tre, deus; les meillurs e les plus leals a ceo kil entendēt, si lur enchargent tel serement p le Rey.

CEO oyez vus A. e B. Enquerors assignez p nr̃e Seign^r le Rey, ke jeo dirrai vr̃ite e rien ne concelerai ne ne soffrai estre celee ne ne murdrai devaunt v^o p^r pmesse, doun, ne tremour, ne doute ne affinite, ne aliaunce, ne am^r, ne haine, ne p aut^i abet, ou pcurement, ne p^r autre ren ne lerrai ke jeo vr̃ite ne die ne p̃sente a vus, de ceo ke vus me dirrez e chargerez en ceste enqueste de par le Rey; si me aide Deus e les Seins, a mon ascient de ceo k [de ceo ke[1]] jeo ay enquere, ou porrey en nule manere. Amen.

Ceo serement fra checune vile demie vile hamelet, p sey; e de meme cel serement si chargerunt les Enquerors avaūt nomez les duzze; ap̃s ceo deliverunt e bailerunt les Enquerors a les houmes jurez de checune vile demye vile hamelet de checun Wap̃, Hundred, e F^nchise, dedenz la p^ceinte avaūt nome e dehors si mes̃ seit, les chapitres desuz esc^tes; e les enjoyndrunt de pt le Reys les f^ncs sur peyne de desheriteson, e les boundes de ppetuel p^son, si rens concelent ou murdrunt p^r nule chose ou pur nuly, ke ceo kil sevent e en nule male enq̃re e enquere porrunt, e a les avaūt nomez Enq̃rors e la dozeine de lur Wap̃ Hundred F^nchise desuz lur seals en la fourme ke les enquerors lur dirront bailerunt e p̃senterunt checune vile demye vile, hamelet, p sey. E deit estre lur p̃sentement en la male de Cyrog^phe e desuz lur seals ambedeus les parties o lur seals pendaunz enseelez; e le une partie liverūt a les enquerors, e lautre partie retendrent vers eus, e les baudrunt sus a les duzze, q^nt il s̃runt jurez, quel hure ke les enquerors lor dirront; issi ke les duzze pussent estre meus c̃tefie de lur p̃sentement de meme le veirdit devaūt les avaūt diz enquerors k^nt il p̃ndrent les enquestes de eus.

Articli Exonie. *MS. Cott.*

PRIMES fet a enquere de checune vile demie vile, e hamelet, e enjoindre eus de part le Rey e sur lur serement ke eus leument p̃senterunt saun ren celer totes les aventures e abjuratiuns, appeus, en la male [haut e bas[2]] (3) e felonies fetes p ky e q^nt en t̃re, bois, mareys, ewes, dedenz viles ou dehors; e par tut de denz les marches de hundrez de checune vile demie vile, hamelet, en tut le tens ke le Corouner avaunt nomee ou par office de Corouner ke devereit entremettre. E si le Corouner en sa ppre p̃sone y ala de fere son office, ou autre en son liu envea a fere ceo ke a ly apendereit de fere. E sil le fist, k^nte feze il le feseit, e a com ben des aventures. E ky celi fu ken son liu ala. E si le Coron̄ volunters saunz aver delay ou assoyne y vint a son poer ou nun. Ou sil rens demaunda ou son Clerk ren p^st por ceo kil hastast a fere le office, ou sil targerent p^r rens aver maliciousement, pus kil saveit del aventure ap̃s ceo kil esteit maundee, quey e quel chose e com ben e p ky mayn, e k^nte feze eus le feseient. E si les chateus a feluns par lor amys ausi bien cum par autre gent avaunt ces hures leument p les Coroun̄s fussent p^sez, e en la vile baille en garde, cum estre dussent, par bone enqueste ou nun p^sez e enroulez, en son roule.

[1] An erroneous Repetition.

[2] *MS. Cott*; *MS. Harl*; and *Printed Copies*, omit.

[3] murdres *MS. Cott*; *MS. Harl*; *Printed Copies*.

Men shall have a Seal. And if the aforesaid Towns, Half-towns, and Hamlets, be deficient, so that they have not so many Freemen, there shall be added some from the best and most discreet and lawful Bondsmen, and each shall have a Seal. And then the Enquirers shall choose out of the eight, six; and out of the six, four; and out of the four, two; of the best and most lawful, at their Discretion; and shall then charge them on the King's Behalf with the following Oath.

Oath of the Grand Inquest.

Hear this you A. and B. Enquirers assigned by our Lord the King, that I will truth say, and nothing conceal, nor suffer to be concealed nor suppress before you, for Promise or Gift, for Terrour or Doubt, nor for Affinity or Alliance, nor for Love or Hatred, nor by others abetting or procuring; nor for any other Matter will I be let from saying or presenting to you the Truth of what you shall direct and give me in Charge upon this Inquest for the King: So help me God and the Saints, according to my Knowledge of that which I have for Inquiry, or may in any Manner obtain. Amen.

Charge and Presentment of the Grand Inquest.

This Oath, every Town, Half-town, and Hamlet shall make severally; and the afore-named Enquirers shall charge the Twelve with the same Oath; after this the Enquirers shall deliver to the sworn Men of each Town, Half-town, and Hamlet, of each Wapentake, Hundred, and Franchise, within the Precinct aforesaid, and without if need be, the Articles under written; and shall enjoin them on the King's Behalf, the Freemen upon Pain of Disherison, and the Bondmen of perpetual Imprisonment, if they aught conceal or suppress for any Cause or for any Person, that what shall come to their Knowledge by any Manner or Means of Inquiry, they shall deliver and present to the Enquirers before named, and to the Dozen of their Wapentake, Hundred, and Franchise under their Seals, in the Form which the Enquirers shall direct them; each Town, Half-town, and Hamlet by itself. And their Presentment ought to be by way of Cyrograph, and both Parts sealed under their Seals, with their Seals pendant; and one Part they shall deliver to the Enquirers, and the other Part, they shall retain to themselves, and shall give them forth to the Twelve when they shall be sworn, at such Time as the Enquirers shall direct them; so that the Twelve may be the better certified of their Presentment of the same Verdict before the aforesaid Enquirers, when they shall take their Inquest.

The Articles of the Inquest.

FIRST, Inquest is to be taken of every Town, Half-town, and Hamlet, and they are to be injoined on the King's Behalf, and upon their Oath, that they do lawfully present without any Concealment, all the Accidents and Abjurations, Appeals of Men taken within the Mainour, Murders and Felonies done, by whom, and when, in Land, Wood, Marsh, Water, within Towns or without; and every where within the Marches of Hundreds, of every Town, Half-town, and Hamlet for the whole Time of the Coroner aforesaid, or of him who by virtue of the Office of Coroner, ought to intermeddle. And whether the Coroner in his proper Person went thither to do his Duty, or sent another in his Stead to do that which belonged to him to do. And if he did so, how many Times, and for how many Accidents. And who it was that went in his Stead. And if the Coroner went thither willingly, without making Delay or Excuse, by his best Endeavour or not. Or if he demanded any Thing, or his Clerk took any Thing for his hasting to do his Office, or if he wilfully stayed back for the sake of Gain, after he had Knowledge of the Accident upon being sent for; how and what Thing, and how much, and by whose Hand, and how often they did so. And if the Goods of Felons, as well by their Friends as by others, have been heretofore duly appraised before the Coroner, and delivered to the Town to be kept, as they ought to be, upon good Inquest, or not appraised, and entered in his Roll.

Attendance of the Coroner.

Extortion by him.

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And if the Coroner hath taken ought of any Man for making a false Inquest, by Procurement to suppress any Man's right; or to appraise the Goods at less than their Value, in prejudice of the Crown, and to the Loss of our Lord the King or any other; or if he caused the Matters entered in his Roll to be inrolled falsely, or otherwise than had been found by lawful Inquest and presented to him; how and what and how much and how often, and in what Matter he took it for such falsifying, and by whose hand, whether the Coroner or his Clerk. Or if he or his Clerk have taken any of the Goods to themselves, after they have been appraised, and caused them to be entered in his Rolls at a less Price than they were appraised at by the Inquest, in order to discharge himself in part at the coming of the Justices, and falsely to charge the Town; how and what Thing. Or if any Appeal of Rape, or the like Matter belonging to his Office, he caused to be falsely inrolled, or suffered to be suppressed by himself or another, or to be withdrawn from out of the Rolls after being inrolled; or would not readily receive the Plaint of a Plaintiff by reason of Poverty, or for Hatred, in Prejudice of the King and the Crown, and to the damage of the Plaintiff, and the Hindrance of Justice; or if on such Plaint, for Promise, Gift, Affinity, Fear, or Favour of the Adverse Party, he caused the same to be suppressed or withdrawn as aforesaid; or took any Thing for that Cause; what, and how much, and by whose Hand. And if he took any Thing of the Towns where he made his Abjurations and Views; what, and how much, and by whose Hand, and in what Manner; or if he, or any on his Behalf took and carried away any of the Goods of any Dead Person upon whose Body he made the View, how and what and how often. And if he made or caused to be made all the Attachments belonging to his Office in due Manner, or not. Or if he caused any Man to be attached wrongfully for another, in another's Name, in order to oppress him and obtain something from him, and maliciously caused it to be entered in his Rolls to the Suppression of Right, and falsely to grieve any one; by whose Procurement and for what Matter. Or if he executed his Office at his own Costs, without taking anything of others, according to the Statute or not. Or if at any County Court he hath concealed or suppressed, or procured to be suppressed any Matter, to the Grievance of the Appellor or Appellee, or any others to the Prejudice of the King or the Party, for Fear, Doubt, Affinity, Favour, Gift, or Promise, by any Man's Procurement. And if he hath, the Manner how, by whom and wherefore, and for what Bribe, for what Cause, and how often, and in what Case. And if all the Attachments belonging to his Office, he prosecuted and caused to be prosecuted faithfully and readily, as he ought to do for the King, and for the Plaintiff, or not. And if the Goods and Chattels of Persons flying from the Towns of their Abode, upon Suspicion of Robberies, Murders, and Receits of Felons, found within the Precinct of his Bailiwick after their Flight, he caused to be attached, and the same to be faithfully entered in his Rolls upon lawful Inquest; and to be delivered to the Towns where they were found, to be kept until the Eyre of the Justices as he ought to do; and if to others, to whom, and by what Warrant, and for what Thing; Or if he hath taken away or suffered to be taken away, or embezzled or destroyed any Appeal or any other sort of Plaint unto him made; or by himself or by the Procurement of any others withdrawn from his Rolls by the Plaintiff or the other Party, for any Man's abetting or other Cause. And if he took any Thing for such falsifying and Suppression; what and how much, for what Cause, and in what Manner, and how often. Or if any Treasure were found in the Time of the Coroner aforesaid, under Ground or above, in what Place and the Manner of it, and how much and what Treasure, and in whose Hands remaining, and by whose Delivery

Suppressing of Appeals, Plaints, &c. by him.

Extortion against the Statute.

Other Neglects of Duty.

Embezzling Records of Plaints, &c.

Treasure-trove.

E si le Coroner p'st riens de nuli p' prendre une fause enqueste pcuree p' murdrer le dreit nuly ou p' p'ser les chateus meis kil ne valent en prejudice de la coroune e a pte noster Seignur le Rey ou a autre ou si autrement ou fausement enrouler fese les choses enroulez en son roule ou en aut' manē ke ne fu dit par leale enqueste ke p'sente li fust; quel e quel chose com ben p' cele fausine, e k'nte feze e p' quel chose il le p'st, e par ky main, ou le Coron ou son Clerc. Ou sil ou son Clerk p'st des chateus ver ly p' kil furent p'sez e a mendre p's les fist enrouler en ses roules ke p'sez ne furent par lenqueste p' sey decharger en partie a la venue des Justices, e la vile fausement charger quei e quel chose. Ou si nul apel de rap ou de tel chose apendāt a son office feseit fausement enrouler, ou soffri estre murdri par ly ou par autre, ou retret hors de ses roules pus qil fust enroulee, ou avaunt ne vodreit la plainte del plaintif por povte ou p' haunge de ly receyvre en p̄judice du Rey e de la Coroune e a damage del pleintif e en arerisement du dreit; ou si cele pleinte p' pmesse doun affinite tremur amur del avse partie feseit tel chose estre murdre ou retret ou avaūt est dit; Ou si rens p'st par cele acheson, quey e com ben e p ky main. E si ren p'st de viles par ou il feseit ses abjuratiuns e ses veues; quey e com ben e p ki main e quele manē; ou sil ou nul des seons p'strent rens e enporterent des bens a morz a quel cors il feseit la veue quey e quel chose e k'nte fez. E sil fist ou fere feseit tuz les attachemenz apendaunz a son office, en due manē, ou nun. Ou si nul feseit attacher, p' li grev e del seon aver, a tort en autri nun por autre fausement, e malicousemēt feseit en ses roules entrer en murdraunt dreit'e e autri fausement grever par ki pcureñit, e p' quel chose. Ou si il a ses custages demeine, saun ren p̄ndre daut', solū lestatut feseit son office ou nun. Ou sil a nul cunte ren cela murdri ou pcura estre murdri en grevāce del appelur ou del appelee ou dautri en prejudice le Rey, ou a ptie por tremur, doute affinite, amur, doun, pmesse p pcurement de nuly. E sil le feseit e la manē cōment p queus, e por quey, e por quel loer e p' quel acheson, e k'nte fez, e en quel cas. E si les attachemenz tuz a son office apendanz leument e reddemēt porsuyst cum fere dust p' le Rey, E p' les pleitifs, e porsuyre feseit, ou nun. E si les chateus gent sustret hors de viles ou il maneient, por mauveise suspeciun de larcins murdres e recettemenz ap's ceo qil sunt sustrez, lur chateus e lur bens ke furent trovez de denz la porceinte de sa baillie, feseit attacher e leuñit par lel enqueste en ses roules entrer; e a les viles, par la ou ses bens furent trovez e bailes en garde taunt cū al Eyre des Justices, cū fere le dust; E si il a autre a ki e p quel garañt e quel chose; ou si apel ou nul autre manē de pleinte a ly fet sustresist ou soffri estre sustret ou besile ou anenti, p li ou p procurement dautre hors de ses roules retret par le pleintifs ou par lautre partie par nuly abet ou p' autre chose. E si p' tele fausine ren p'st en cel murdrisement quey, e cū ben p' lacheson e en quele manē e k'nt de fez. Ou si nul Tresor fust trovee en le tens del Coroner avauntdit, desuz tere ou desus; en quel liu e la manē, e com ben, e quel tresor, e en ky mains est demorre, par qi bail.

E en ceste manꝛe deivent les enquerors aler de Waꝑ, en Waꝑ, Hundred Fⁿchise, viles, responaũz par duzze si il seient en la porceinte ou bailli e aportenãt al vaũtdit Coroner e bailler as jururs avaunt nomez des avauntdites viles demy viles e hamelez, tuz les chapitres avaunt nomez, escⁱtes par eus celeement consiler e enquere des avaũt nomez choses. E done ..r seit jor le qᵃrt jors aꝑs kil averũt les chapitres eceu, a rendre sus lur ꝑsentemenz a les avaunt nomez enquerors es luz ꝺteins o lur seaus pendans a lur ꝑsenteñit. E si mester seit kil eyent plus long jor, por eus meuz certefier, done e gᵃnte lor seit ꝑ les enquerors. E pus kⁿt les enquerors averunt receu vers eus tuz les ꝑsentemenz de viles demy viles, hamelez, donꝁ facent venir devaunt eus (1) de checũ Waꝑ, Hundred Fⁿchise Vile ke respount par duzze; e solũ les poinz des Chapitres avaunt nomez, E en tuz autre manꝛes coment ke les enquerors saverunt meuz ordiner, e porveer seient chargez. E sil avienge ke les enquerors trovẽt fausine estupe ou conceleement par lur entendement en lur enquestes pⁱses ꝑ les dozeines prengent a donke (2) les duzze, vint e qᵃtre a tuz jorˢ ke seient tuz plus leals de tut le counte, e ꝑ memes le serement avaũt nomee, E par les chapitres en meme la manꝛe seient chargez. E sil avenge ke les duzze par vint e qᵃtre seient atteintz, seient atachez checun ꝑ sey par bone mainpⁱse de aver lor cors quel houre ke le Rey maundera. E si le Coroner ou son Clerk ou autre faus ꝓcurur a ꝓjudice de la coroune seit ateint seit attache ꝑ bone mainpⁱse avaunt nome. E kⁿt les dozeines rendent sus lur veirdit a les avaũtdis enquerurs, rendent ensement a eus tuz les ꝑsentemenz ke livere lur furent par les avaũtdites viles, demye viles, e hamelez. E kⁿt les enquerurs averunt pⁱs les enq̃stes en tele manꝛe, si enselent les veirdiz des duzze, e des vint qᵘtre, les queus il tenent plus veritables de suz lur seaus; si les enveient au Rey, par un de les enquerurs, si en fra le Rey memes dreiture e justicement fort e dur del Coroner e son Clerk, e de tuz les autres ꝁ seient ateinz, ke rens eyent fet murdre ou concele en prejudice de la coroune ou procuree ꝑunt ke le Rey ou autre fust perdaunt. (3)

[1] xij. *MS. Cott.*

[2] sur *MS. Cott: MS. Harl: Printed Copies.*

[3] Done a Excestre le [xxviij jour de Decembre, [4]] Lan de Regne le Rei Edward xiiij. *MS. Harl.*

[4] xviii jour de Septembre, *Printed Copies.*—*MS. Cott.* has not any Date.

And after this Manner ought the Enquirers to go from Wapentake to Wapentake, Hundred, Franchise, and Towns answering by twelve, if there be such within the Precinct or Bailiwick belonging to the aforesaid Coroner: and to deliver to the Jurors aforesaid of the aforesaid Towns, Half-towns, and Hamlets, all the afore-mentioned Articles of Enquiry in writing, for them to take Counsel secretly, and make Inquiry of the Matters aforesaid. And a Day shall be given them on the fourth Day after they shall have received the Articles, to give in their Presentment, to the aforesaid Enquirers, in certain Places with their Seals pendant to their Presentment. And if they need to have a longer Day for their better Information, it shall be given and granted them by the Enquirers. And as soon as the Enquirers shall have received all the Presentments of the Towns, Half-towns, and Hamlets, they shall then cause to come before them, the Twelve out of each Wapentake, Hundred, Franchise, and Town answering by Twelve; and according to the Points of the Articles before-mentioned, and in any other Manner as the Enquirers shall deem best to ordain and provide, shall they be charged. And if it happen that the Enquirers find any wilful falsifying, hindrance, or concealment made by the Twelve in their Inquests, they shall then always take against the Twelve, Twenty-four, all of whom shall be of the most lawful Men of the County; and by the same Oath before-mentioned, and by the Articles in the same Manner, shall they be charged. And if it happen that the Twelve should be attainted by the Twenty-four, they shall be attached, each Man separately by good Mainprise to have their Bodies at whatsoever Time the King shall direct. And if the Coroner or his Clerk, or other false procurer, in prejudice of the Crown be attainted, he shall be attached by good Mainprise as aforesaid. And when the Twelve give in their Verdict to the aforesaid Enquirers, they shall likewise make return to them of all Presentments that have been delivered to them by the aforesaid Towns, Half-towns, and Hamlets: And when the Enquirers shall have taken the Inquests after this Manner, they shall seal those Verdicts of the Twelve, and Twenty-four, the which they shall hold the most true, under their Seals; and send them unto the King by one of the Enquirers, and the King himself shall order right thereupon, and strict and secure Punishment against the Coroner and his Clerk, and all others who shall be attainted of having any Thing done, suppressed, or concealed, in prejudice of the Crown, or of having procured the same, whereby the King or any other hath suffered Loss.

The said Articles shall be enquired of in every Wapentake, Hundred, &c.

Attaint of the Inquest for Falsehood, &c.

Attaint of the Coroner.

Returns of Presentments to the Enquirers, and by them to the King, &c.

Statut' sup' Vic' & clicos suos.*

STATUTE CONCERNING THE SHERIFF AND HIS CLERKS.

FORASMUCH as the Punishment of every Offence ought in justice to be inflicted upon the Person delinquent; and many Sheriffs in the Realm be wholly Lay Persons, having no Knowledge of the Returns of the Writs which hitherto are returnable into the King's Court, and some, although they be lettered Persons, yet nevertheless putting so much Faith in the Acts of their Clerks, affect not themselves in any way to intermeddle in the overlooking or examining of Writs directed to them; and always, in Times past, as well in the Exchequer as elsewhere, in the King's Courts it was the Usage, that for the undue Execution of Writs the Sheriffs to whom they were directed, should be amerced, and not their Clerks who composed and made false feigned and frivolous Answers to the same Writs; whereby it is presumed and known to be true that those Clerks have assumed a greater boldness in offending: The Venerable Fathers, Brother William de Hotham Archbishop of Dublin, W. de Luda Bishop of Ely, R. de Gravesend Bishop of London, W. de Langton Bishop of Coventry and Litchfield, Treasurer of the King, and John de Langton Chancellor of England, John de Cobham and his Companions, Barons of the aforesaid Exchequer, and also the Justices of both Benches, and others of the King's Council, being assembled at the same Exchequer at Westminster, on Friday, in the Feast of St. Valentine, in the Twenty-sixth Year of King Edward, consulting upon the applying of a Remedy in the aforesaid Case, lest for the future the Clerks of Sheriffs giving false Answers to the King's Writs should perceive such their Malice to pass unpunished, as they have hitherto done, and lest Sheriffs also should not receive Punishment in that case for the Acts of their Clerks, and should permit them as before hath frequently happened; They have agreed and provided, that before the Treasurer and Barons of the King's Exchequer, and elsewhere in the Courts of the King himself before any of his Justices, as well the Clerks as the Sheriffs themselves shall answer for false Return, and be punished; so that if a Defect of Return be found in the Person of the Clerk, and not in the Person of the Sheriff, the Clerk shall make Satisfaction to the Party injured of the Damage, which that Party can lawfully shew he hath sustained, in consequence of the Defect of the Return aforesaid, and nevertheless shall be punished as relates to the King, according to the Discretion of the Justices before whom he was convicted, Respect being had to the Quantity of the Offence; And the Sheriffs then in that Case shall go quit; so nevertheless that their Clerks be sufficient to make Satisfaction as is said; to which if they be not, in their Default. Answer and Satisfaction shall be made by the Sheriffs under whom those Clerks are bound to do such Duty.

Sheriffs shall answer for false Returns;

and their Clerks, also.

Amends to Party injured.

Punishment towards the King.

Sheriffs shall make Satisfaction in Default of their Clerks.

And Be it Remembered that this Provision holdeth from the Day of its being made, to be observed of the Sheriffs and their Clerks in London and Middlesex, and this because they are forewarned of the same. And as to the other Sheriffs of the Realm, and their Clerks, the said Provision shall hold Place on the Morrow of the Close of Easter next following, thenceforward, because then the said Sheriffs will be warned upon their Profer.

When this Provision shall take Effect.

And afterwards on the Morrow of the Close of Easter in the Twenty-sixth Year of the Reign of the King, the said Provision was set forth in the Exchequer to the several Sheriffs of England; and it was agreed then by the King's Council, that the Clerks of Sheriffs giving false Answers to the Summonses of the Exchequer upon the Accounts of the Sheriffs shall be punished, if they be thereof convicted, in the Form whereby it is above provided that they shall be punished, for the false Execution of Writs.

False Answers by Clerks, to Summonses of the Exchequer.

Ex Lib. Horn, fo. 89.

QUIA transgressionis punicio cuj⁹cumq; inerit psone delinquenti debet infligi; ptresq; Vic' in Regno de toto laici existunt, nullam habentes cog[illegible] de Returnis breviū que hucusq⁹m in Cur̄ Regis retornant' & quidam q⁹q⁹m litt'ati existant de fcis suos tñ clicos tantam fiduciam gerentes, qd de br̄ib⁹ eis directis supvidendis & eciam examinandis aliqualit̄ se intromitt'e non affectant; ac semp retroactis temporib⁹ tam in Sc⁹cio q⁹m alibi in Cur̄ Regis fuit usitatum qd quo brevibus executis indebite, Vic̄ quib⁹ illa directa fuerint, amerciati extit'int, et Clici sui, qui responsiones falsas fictas & frivolas ad eadem brevia composuerint & fecerint, nequaq⁹m; per quod p̄sumit' & v̄m esse dinoscit' ip̄os clicos majorem audaciam sumpsisse delinquend: Venabiles p̄res frat̄ Willms de [Hodum [1]] Archiep̄c Dubliñ, W. de Luda, Eliens Ep̄c, R. de Graveshende Londoñ Ep̄c, W. de Langetoñ Conventr̄ & Lychefeld Epc̄, Thes̄ R̄, & Johes de Langetoñ Cancell Angl, Joh de Cobeham & socii sui Barones Sc⁹cii p̄dict̄, necnon Justic̄ de utroque banco & alii p̄res de consilio Reg̃ convocati ad idem Sc⁹cm apud Westm̄ die Ven̄is in festo sc̄i Valentini anno r̄ Reg̃ E. xxvj⁰. consulentes sup Remedio apponendo in cās predco, ne decet⁹ clici Vicecomitum, falsas dantes responsiones ad brevia Regis, suas hu⁹i malicias senciant transire impunitas prout hactenus fec̄int, nec Vic̄ pro fcis ip̄os Clicos in cās illo puniciones recipiant, & pmittant sicut prius frequenter fecerint; Concordarunt & providerunt, qd coram Thes̄ & Baroñ de Sc⁹cio R̄ & alibi in Cur̄ ipsius Reg̃, coram Justic̄ suis quibuscumq;, respondeant de falso returno tam clici q⁹m vic̄ ip̄i & puniantur; Ita qd si defectus Returni in psona Clici Vic̄ convincatur, & non in psona Vic̄, satisfaciat clicus ille pti lese de dampno qd pars illa legitime ostendere possit sustinuisse ob defectum returni p̄dict̄i, & nichilominus erga Regem puniat' jux⁹ discrecionem Justic̄ coram quib⁹ [Justic̄ fuerint convicti [2]] habito respectu ad quantitatem delicti; & Vic̄ tunc in cās illo sint quieti; dum tñ clici sui sufficiant ad satisfaciendum ut est dc̄m; ad quod si non fuerint in defectum eo⁹ respondeant & satisfaciant Vicecomites sub quibus clici illi huj⁹modi officio intendunt.

¶ Et Memorand qd ista provisio a die confeccionis ejusdem fiet observari de Vic̄ & Clicis suis in Londoñ & Midd; & hoc q; p̄muniti sunt de eadem &c. Et quoad cet⁹os Vic̄ Regni & Clicos suos locū tenebit provisio memorata a Crastino Clause Pasch proximo futuro in antea q; tunc ip̄i Vic̄ sup profrum suū sunt p̄muniendi. ¶ Postea in Crastino Clause Pasch anno r̄ reg̃ xxvj⁰. exposita fuit in Sc⁹cio singulis Vicecomitib⁹ Angl provisio supradca; et concordatū fuit tunc per consiliū Regis qd clici Vic̄ falsas dantes responsiones ad sum̄ Sc⁹cii sup compotos Vicecomitū puniantur si sup hoc convincant', in forma qua supius provisum est ip̄os puniri pro br̄ib⁹ falso executis.

[1] Hotham *Printed Copies.* [2] fuerit convictus *Printed Copies.*

* This was first printed in Tottell's Antiqua Statuta 1556, intituled 'Contra Vicecomitem & Clericos.' A Copy is entered in *Lib. Cust. Land. fo.* 152, agreeing with that in the Text. It is not inserted in any modern Edition of the Statutes.

Modus Levandi Fines.*

The Manner of levying of Fines.

Ex MS. Cott. Claud. D. II. fo. 234.

de finib; levand.

QUANT le brief original soit lieu en p̃sence des parties devant Justices, donqes dirra un Countour issint, Sire Justice conge dacorder, le Justice lui dirra que durra Sire Rob̃t, & nomera un des parties; dounc qu^a^nt ils s̃rount [une gent [1]] de la som̃e de la peccune qest done au Roi, donqes dirra le Justice criez la pees; & puis dirra le Countour, issint qe la pees est ycele a voz congez, q̃ William & Alice sa femme q̃ cy sount reconnissent le Manoir de B. ove les ap^p^r^tenantz contenuz en le brief estre droit de [Roi [2]] come cel qil ad de lo^r^ doun, a aṽ & tenir a lui & ses heirs de William & Alice & a les heires Alice come en demeigne, rentes, Seign^r^ies, [Countes,[3]] plees, purchaces, gardes, mariages, reliefs, eschetes, molo^r^s, avoesouns deglises, & toutes aut̃s fraunchises & fraunkes custumes a lavantdit Manoir app^r^tenauntz, rendant p̃ an a Rob̃t & a ses heirs [a chiefs seign^r^ages [4]] de fee s̃vices dues & custumez p^r^ touz s̃vices.

¶ Et fait assavoir qe ordre de ley ne suffre mie q̃ finale acorde soit leve en la Courte le Roi, saunz brief original, & ceo a tote le meins dev^a^nt quatre Justices en Baunk ou en Eire & nounpas aillours & en p̃sence des p̃ties nomez en le brief q̃ sont de plein age & de bone memorie & hors du prisone.

¶ Et si femme coṽt de Baroun soit une des parties donq̃ covient qele soit prim̃ement confesse des quatre Justices av^a^ntditz, & si ele [ne sent [5]] la fine ne se leṽa mye.

¶ Et la cause p^r^ quoi tiele solempnite doit estre faite en cele fine ([6]) qe fine est si haute bare & de si g^a^unt force & de si puissaunt nature en soi qel forclos, nemye soulement ceux qi sount parties & prives a la fine & lour heirs, mes touz aut̃s gentz du monde que sount de plein age hors du prisone de bone memorie, & dedeinz les quat̃s meers le jour de la fine leve sils ne mettrount lo^r^ clayme de lour accion [s^r^ la pie [7]] dedeinz lan & le jour.

[1] agree
[3] Courts
[4] chiefes Seignurs
[5] n'assent
[6] est pour ceo
[7] pur le pays
} *Printed Copies.*

[2] { R. *Printed Copies.* / Rob̃t *MS. Lansd.* 480.

The Order of levying of a Fine.

WHEN the Writ original is delivered in presence of the Parties before Justices, a Pleader shall say this, Sir Justice, [Conge de accorder;[1]] and the Justice shall say to him, [what saith Sir R.[2]] and shall name one of the Parties; Then, when they be agreed of the Sum of Money that must be given to the King, then the Justice shall say, Cry the Peace; and after, the Pleader shall say; In so much as ([3]) Peace is licensed thus unto you, W. S. and A. his Wife, that here be, do acknowledge the Manor of B. with the Appurtenances contained in the Writ, to be the Right of [our Lord the King,[4]] which he hath of their Gift, to have and to hold to him and his Heirs, of the said W. and A. and the Heirs of A. as in [Demeans,[5]] Rents, Seigniories, Courts, Pleas, Purchases, Wards, Marriages, Reliefs, Escheats, Mills, Advowsons of Churches, and all other Franchises and free Customs to the said Manor belonging, paying yearly to R. and his Heirs, as chief Lords of the Fee, the Services [and Customs due [6]] for all Services.

The Form of a Fine.

Matters requisite to make a Fine good.

And it is to be noted, that the order of the Law will not suffer a final Accord to be levied in the King's Court without a Writ original, and that must be at the least before Four Justices in the Bench, or in Eyre, and not otherwise, and in Presence of the Parties named in the Writ which must be of full Age, of good Memory, and out of Prison.

Fines by Feme Covert.

And if a Woman Covert be one of the Parties, then she must be first examined by Four of the said Justices; and if she doth not assent thereunto, the Fine shall not be levied.

The Force of a Fine.

And the Cause wherefore such Solemnity ought to be done in a Fine, is, because a Fine is so high a Bar, of so great Force, and of so strong Nature in itself, that it concludeth not only such as be Parties and Privies thereto, and their Heirs, but all other People of the World, being of full Age, out of Prison, of good Memory, and within the Four Seas, the Day of the Fine levied; if they make not their Claim of their Action within a Year and a Day [by the Country.[7]]

[1] *Leave to agree;* [2] *what will Sir R. give?*
[3] *the* [4] *R.* [5] *demean, and the*
[6] *due and accustomed* [7] *at the Foot of the Fine.*

* This Article is inserted in the Printed Copies, as of 18 *Edw.* I. The Copy from *MS. Cott. Claud. D. II.* was printed by Cay; with which *MS. Lansdowne* 480 [*fo.* 243.] agrees, except in the material Instance specified in the Notes.

Statut' de finibz & attornatis.

STATUTE CONCERNING FINES AND ATTORNIES.

THE King unto the Justices of his Bench, Greeting. Whereas of late We have ordained, that all such Fines as are to be levied in our Court, be lawfully levied, which We will in nowise to be infringed, (1) or to be adnulled of their whole Power, We have sent unto you our Mind in writing firmly to be observed; that is to wit, that as well the Parties Demandant or Plaintiff, as the Tenants or Defendants that will yield or acknowledge their Right [of Lands 2] or Tenements unto other, in Pleas of Warrantia Chartæ, Covenant, and other, whereupon Fines are to be levied afore you, before such Fines do pass, the Parties shall appear personally, so that their Age, Idiocy, or any other Default, if any be, may be judged and discerned by you. Provided notwithstanding, that if any Person be by Age or Impotence decrepid, or by [casualty 3] so oppressed and withholden, that by no Mean he is able to come before you in our Court, then in such Case We will that Two or One of you, by Assent of the Residue of the Bench, shall go unto the Party so diseased, and shall receive his Cognizance upon that Plea and Form of Plea that he hath in our Court, whereupon the same Fine ought to be levied (4); and if there go but one he shall take with him an Abbot, a Prior, or a Knight, a Man of good Fame and Credit; and shall certify you thereof by [the 5] Record, so that all Things incident to the same Fine being examined by him or them, the same Fines according to our former Ordinance may be lawfully levied.

Parties levying Fines shall appear personally;

Except in cases of Age or other Infirmity.

And We will not that any of our Barons of the Exchequer, or (6) our Justices shall admit any Attornies but only in Pleas that pass afore them (7) in the Benches and in Places where they be assigned by Us. And the same Power of admitting Attornies, we prohibit and deny to the Clerks and Servants of the said Barons and Justices; and do ordain that if any Attornies be admitted hereafter by any of the Persons aforesaid, their Admission shall be of none Effect: Reserved alway to the Chancellor for the Time being his Authority in admitting Attornies, according to whose Discretion they shall be admitted; and to our Chief Justices as heretofore hath been observed in the Admission of Attornies.

Admission of Attornies.

We will also that this our Ordinance shall take Effect and begin at the Utas of the Trinity next ensuing. [Given at our Parliament at Carlisle the Fifteenth Year of our Reign.*]

[1] *weakened,* [2] Not in Original.
[3] *any debility casually arising* [4] *in the same Court*
[5] *his* [6] *any of* [7] *and their Companions*
[*] *Witness ourself at Carlisle the 15th day of January in the thirty-fifth year of our Reign*

Ex Lib. Horn. fo. 111, *b.*[*]

REX Justič suis de banco Saltm. Cum nuper ordinaverim[9] qđ fines in Cur̄ nr̄a levande rite levarentur, quas nolum[9] in aliqua pte infringi infirmari seu de toto posse adnullari, volūtatem nr̄am subscriptam vobis mittim[9] firmit̄ observandam; videlicet, qđ tam ptes querentes vel petentes q*m tenentes & defendentes, qui jus vel ten̄ sua aliis cognoscere vel reddere debeant in plitis Warantie carte, cōvencionis & aliis de quibz sunt levande coram vobis, anteq*m fines ille leventur psonalit̄ veniant, ut eaz parciū etas, fatuitas seu alii quicumq; defectus si qui fuerint per vos judicari poterūnt & discerni. [Provisio [1]] tamen qđ si quis senio aut senectute decrepitus, seu debilitate casualit̄ supveniente, sic fuit detentus et oppressus qđ coram vobis ad Cur̄ nr̄am aliqualit̄ non possit accedere; tunc in tali cāu volum[9] qđ duo vel unus vr̄m de assensu vr̄o de Banco talem sic opp̄ssum adeant vel adeat & suā recogn̄ sup plito & forma plti qđ habet in Cur̄ nr̄a de quo finis in eadem Cur̄ debet levari, assumpto secū si un[9] adeat uno Abbate Priore vel Milite, viro fide digno & bone fame, recipiant vel rescipiat, & inde vos per recordū suū reddant vel reddat cerciores, ut p ip̄os vt ip̄m omnibz qui ad finem levandum pertinent plene examinetis, et fines illi ut [p̄dictū [2]] est rite leventur.

Nolum[9] eciam qđ aliquis Baronū Sc*cii nr̄i seu Justič aliquis capiant Attornatos nisi tantū in placitis [& placeis [3]] que coram ip̄is & sociis suis in bancis & locis ubi per nos assignant' emerserint. Et eandem de attornatis recipiend̄ potestatem clicis & Ministris predčoz Justič et Baronū denegamus: Ordinantes qđ si aliqui attornati (4) alio modo admittantur pro non admissis habeant' et teneantur. Potestate tamen Cancellarii nr̄i qui pro tempore fuerit cui jux* discrecionem suam expedire viderit [cōmittend̄,[3]] et eciam capitał Justič nr̄i ut hactenus in attornał recipiend̄, semper observata.

Volum[9] eciam qđ hec nr̄a Ordinacio in Octab Sče Trinitał pximo futuro incipiat observari. [T. me ip̄o apud Karliolum xv. die Januar̄ anno regni nr̄i xxxv.[6]]

[1] pviso *MS. Cott.*
[2] preordinatum *Printed Copies.*
[3] *MS. Cott. and some Printed Copies* omit.
[4] p aliquem p̄dčoz *MS. Cott: Printed Copies.*
[5] admittenda *MS. Cott: Printed Copies.*
[6] T. me ip̄o apd Kart anno r. n. xxv. in Octab Sči Hill. *Lib. Horn. fo.* 251.
T. me ip̄o apud Karliolū viij° die Aprilis anno regni nr̄i vicesimo quinto. *MS. Cott.*
T. me ip̄o apd Carliol̄m in octabis Sči Hillarii anno regni nr̄i xxxv°. *MS. Bodl.* 4137.
Datum apud Karliol̄ in Parliamento nostro anno regni nostri xv. *Old Printed Copies.*

[*] A more modern and less correct Copy of this Statute is entered in fo. 251 of the same Volume, and there intituled 'Statutū Karliolens̄.' In *Lib. Cust. Land. fo.* 164, is a Copy agreeing exactly with that printed in the Text. In *MS. Bodl.* 4137, is a Copy entituled 'Carleolum Primum.' In the Printed Copies this has been admitted as a Statute of 15 *Edw.* II. and entituled 'De Finibus & Attorn̄, Statutum de Carliol.' The Various Readings marked *MS. Cott.* are from the Cotton Manuscript *Claudius D. II.* from whence [*fo.* 234 b.] the Text was printed in Cay's Edition.

Statutum de Conspiratoribus.

STATUTE CONCERNING CONSPIRATORS.*

Ex. MS. Harl. 748. fo. 113. b.

CUM 9tenu seit en nr̃e estatut ke nul de nr̃e Curt enprenge play a champart, ne par art ne par engin, [Cunteurs ne atturnez ne aprentifs, seneschaus des hautz hom̃es baillifs ne autres de la r̃e nienprengent a champart ne par autres barettours de [1] tute manere de play, [ou [2]] tute manere de gent, parunt tote la r̃e est greve, riches & poures sunt travaillez en mutz de maneres: ¶ Purveu est par 9mun acord ke tuz ceus ke desoremes sunt atteintz de celes enprises [suters e Bargayngnurs,[3]] e ceus ke a cele chose assentent eyent la prison de trois annz, e ne purkaunt seient reintz a la volunte le Rey. [¶ Done a Berewyk sur Twede lan du regne le Rey Edward, fiz le Rey Henr̃, vintime.[4]]

¶ Dn̄s Rex mandavit nunciante Gilb̃to de Roubires clico de 9silio dn̄i Reg̃, qd̄ quicumq; volu᷑it se 9q̃ri de 9spiratorib3 ffaz̄ q̃relaz̄ sustentatorib3, inventorib3, & manutenentib3 querelaz̄ ffaz̄, ut inde ptem h̃eant & 9troversiaz̄ bargainatorib3 [q; Gilb̃ts de Thorntoñ p b̃re fac̃ eos attachiari q; sint corā dn̄o Rege 9querentib3 Bre respondere p hoc b̃re.[5]] ¶ Rex Vic̃ saltm; Precipimus t[i] qd̄ si A. de B. fec̃it te secur̃ de clam̃ suo p̄s̄, tunc pone p̄ vad̄ & salvos pleg̃ G. de C. q; sit coram nobis a die Sc̃e T'nitatis in xv. dies, ubicumq; tūc fu᷑im[9] in Angł, ad respondend̄ p̄fato A. de plito 9spiracionis & transgressionis s̄c̄dm ordinac̃oem nr̃am nup inde p̄visam, sicut idem A. rac̃onabiliu᷑ monstrare po᷑it qd̄ ei inde respondere debeat. Et h̃eas ibi nōia plegioz̄ & hoc b̃re. T. G. de Thornton, &c. (6)

[1] & Countours, Attornees, Apprentis, Seneschalx, Bailliffs a hautes hōmes, & autres de la r̃e ja empnent a champart, & p autres bars *MS. Cott.*

[2] encountre *MS. Cott.* [3] seutes & bargaines *MS. Cott.*

[4] *MS. Cott* omits.

[5] veniant hujusmodi gravati & conquerentes capitalibus justiciariis domini Regis et habeant breve de eis sub sigillis eorum ad attachiand̄ hujusmodi transgressores ad respondend̄ ipsis lesis conquerentibus coram prefatis justic̃; et fiat eis tale breve. *Tottell.*

[6] Et si quis super hujusmodi ad sectam conquerentium fa&tam convi&tus fuerit, habeat prisonam quousque lesis satisfecerit et versus dominum Regem graviter redimatur. *Tottell.*

WHERE it is contained in our Statute that none of our Court shall take any Plea to Champerty by Craft nor by Engine; and [that no[1]] Pleaders, Apprentices, Attornies, Stewards of Great Men, Bailiffs, [nor any[2]] other of the Realm, [shall take for Maintenance or the like Bargain, any manner of Suit or Plea against other,[3]] whereby all the Realm is much grieved, and both Rich and Poor troubled in divers manners; It is Provided by a common Accord, That all such as from henceforth shall be attainted of such Emprises, Suits, or Bargains, and such as consent thereunto, shall have Imprisonment of Three Years, and shall make Fine at the King's Pleasure. Given at Berwick upon Tweed the Twentieth Year of the Reign of King Edward (4).

Our Lord the King, at the Information of Gilbert Rowbery Clerk of his Council, hath commanded, That whosoever will complain himself of Conspirators, (5) Inventors and Maintainors of false Quarrels, [and Partakers thereof,[6]] and Brokers of Debates, that [Gilbert Thornton shall cause them to be attached by his Writ, that they be before our Sovereign Lord the King, to answer unto the Plaintiffs by this Writ following: [7]]

The King to the Sheriff Greeting, We command thee, That if A. of B. give thee Surety for prosecuting his Claim, then put by Gages and safe Pledges G of C. that he be before us from the Day of the Holy Trinity in Fifteen Days, wherever We shall then be in England, to answer to the aforesaid A. of a Plea of Conspiracy and Trespass according to our Ordinance lately thereof provided, as the said A. can reasonably show that he ought to answer to him thereof. And have there the Names of the Pledges and this Writ. Witness G. de Thornton.

And if any Man shall be convicted at the Suit of any Complainant of any such Offence, let him be imprisoned until he hath satisfied the Party grieved, and towards the King let him be grievously redeemed.

[1] *now* [2] and

[3] do take Pleas to Champertie, and by other Crafts all manner of Pleas against all manner of Men,

[4] *Son of King Henry* [5] *Sustainers of false Suits,*

[6] *that they may thereout have a share,*

[7] *Persons so grieved and complaining, shall come to the Chief Justices of our Lord the King, and shall have a Writ of them, under their Seals to attach such Offenders to answer to the Parties grieved, so complaining before the aforesaid Justices; and the Writ following shall be made for them.*

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* In all the English Editions, as also in all Printed Copies where both Text and Translation are inserted, this has been printed as one Statute of 33 *Edw.* I. under the Title of 'The Statute of Champerty'. In the oldest Printed Copies by Pynson and Berthelet, the first Part is given as a separate Instrument, intituled, 'Statutum de Champertie' and dated at Berwick, 11 Edw. I. In those old Printed Copies is also inserted, an Instrument, intituled, 'Statutum de Conspiratoribus' as of 33 Edw. I. in which the Statute of Champerty is again erroneously printed with some verbal Variations, with the Date 20 Edw. I. and the Provision and Writ against Conspirators is subjoined. In Tottell's Printed Copy, 1556, the 'Statutum de Champertie' and 'Statutum de Conspiratoribus' are given as separate Articles; the former with the Date 11 Edward I., and the latter without a Date. In Cay's Edition, a Copy of the first Part is given from *MS. Cott. Claud. D. II.* [*fo.* 163. where it is inserted, without any Title, immediately after the Statute of Gloucester, which is marked "ex' p rotulū."] In a Manuscript marked M. m. v. 19. in Cambridge University Library is a Copy of this first Part, immediately after the Statute of Gloucester, which in that Manuscript is also marked as examined by the Roll: This Copy agrees with that in *MS. Cott.*; except that at the Head thereof is written 'Iste articlus in quadam billa scriptus consutus est statuto consignato in Banco:' and in the Margin 'Explanac̃oes Glouc̃: quere xxxiij.'

Statutū de proteccionibz nō alloc'.*

STATUTE AGAINST ALLOWING PROTECTIONS.

Protections may be challenged.

EDWARD by the Grace of God, &c. To all his true and faithful Subjects, Greeting. Forasmuch as many do purchase the Protection of our Lord the King, affirming that they were out of the Realm in the King's Service; (1) It is Provided, That if their Adversary will challenge the Protection, and immediately when it is shewed in the Court, will aver (2) that they were within the Four Seas, and out of the King's Service in a Place certain, so that they might have well come, their Challenge shall be entered (3), and the Matter shall remain without Day, according to the Nature of the Protection. And when [it shall be resummoned 4] and he cometh into the Court, he shall demand Judgement, and hearing of the Process, and offer to aver his Challenge if his Adversary will attend: And if the Country do pass against him that cast the Protection, it shall [return to 5] a Default, if he be Tenant; and if he be Demandant, he shall leese his Writ, and shall be amerced unto the King. Given at Westminster, the xviij Day of November, the xxxiij Year of King Edward, Son of King Henry.

Proceedings and Judgment thereon.

1 *or within the Four Seas, falsely, in the King's Service;*

2 *in manner as the Court shall award,* 3 *on the Roll*

4 *the Party sueth a Re-summons* . . 5 turn as

Ex Lib. Horn Lond. fo. 107.

(1) PURCEO qe moutz de gentz purchacent l. protecciouñ le Roy en affermaunz qil fu e hors de ẽre en le servitz le Roi [ou dedens les q tre mers, faucement en le serviz le Roy 2] Purveu est q̃ si lour adversarie voille chalanger la protecciouñ maintenaunt quant il est mys avaunt en la Court e averrer [p q'nt q̃ la Court agardera 3] qil furent dedenz les quatre mers e hors du servitz le Roy en certeyn leu, issint qil poeit bien aver venuz, seit lour chalenge entre en roule e seit la [proteccion 4] saunz jour sulom [sa nature. 5] E quant [il siwe resomouns 6] e il vient en Court il demaundera Jugement e [dirra le 7] proces e tendra de averrer (8) [sil 9] le voille attendre, e si le pais die encountre luy q̃ porta la protecciouñ il serra tourne en une defaute sil seit tenaunt; E sil seit demaundaunt il pdra sun bref e serra en la greve mercy le Roy. (10)

1 Edward p la grace de Dieu &c. a toutz ses foialz & loyalz salutz. *Printed Copies.*

2 *Printed Copies* and *MS. Cott.* omit; the latter inserts the Word 'faucement.'

3 *Printed Copies* omit.

4 parole mis *Printed Copies.*

5 la nature de la protection *Printed Copies.*

6 il sera *Printed Copies.*—la ptie ẽra somons *MS. Cott.*

7 oyer de *Printed Copies.* 8 son challange *Printed Copies.*

9 si son adversaire *Printed Copies.*

10 Done a Westm̃ le xviij jour de Novembre lan du regne le Roi E. fitz le Roi H. 33. *Printed Copies.*
Dat̃ apud Westm̃ xviij° die Nov̄ anno regni Regis Edwardi tricesimo quarto *MS. Cott.*

The Manner of challenging Essoins.

In what Cases an Essoin doth not lie.

HERE is declared how many ways Essoins may be challenged, and in what Cases Essoins do lie, and in what not; that is to say, an Essoin lieth not where the Land is taken into the King's Hands. Essoin lieth not where the Party is distrained by his Land (1). Essoin lieth not where any Judgement is given thereupon; if the Jurors do come. Essoin lieth not where the Party was seen in the Court. Essoin of Ultra mare lieth not where another time the Party hath been essoined De malo veniendi. It lieth not where the Party hath essoined himself another Day. It lieth not where the Sheriff was commanded to make the Party to appear. Essoin De servitio Regis lieth not where the Party is a Woman; unless because she be Nurse, a Midwife, or commanded by Writ Ad ventrem inspiciendum. It lieth not in a Writ of Dower, because it seemeth to be but a Deceit and a delay of Right [. It lieth not for that the Plaintiff hath not found 2] Pledges to prosecute the Suit. It lieth not where the Attorney was essoined. It lieth not where the Party hath an Attorney in his Suit. It lieth not where the Essoiner confesseth that he is not in our Lord the King's Service. It lieth not where the Summons is not returned, or the Party not attached, for

1 *and goods* 2 *; for such Plaintiff doth not find*

Modus calumpniandi Esson'.†

Ex. MS. Harl. 395. *fo.* 90.

HIC demonstrat' quot mod essoñ sunt calumpnianda & in quibus casibus essoñ jacent & in quibus non. ¶ Non jacet quia terra capta est in manu dñi ℞ ¶ Non jacet qñ aliquis districtus est p terr̃ & cat̃ sua. ¶ Non jacet quia cōcessum est hinc inde judm si jur̃ veniāt. ¶ Non jacet quia visus fuit in cur̃. ¶ Non jacet de ult' mare quia alias, s. tali die se essoñ de malo veniendi. ¶ Non jacet quia alias se essoñ, s. tli die. Non jacet quia p̄ceptū fuit vic̃ qd fac̃ eum venire. ¶ Non jacet de ꝟvicō dñi ℞ quia femina: (1) ¶ Non jacet in br̃i de dote, quia videt' ẽe decepc̃ō & plongac̃ō jur̃, (2) quia tat querens nō invenit pleg̃ de pros̃. ¶ Non jacet quia tat attorñ suus fuit essoñ. ¶ Non jacet q'a ht attorñ in loquela. ¶ Non jacet quia essoñ testat' qd non est in ꝟvicō dñi ℞. ¶ Non jacet quia nulla sum̃ testat' vt

1 nisi quia aut nutrix obstetrix aut mittat' p br̃e ad ventr̃ inspiciendum *MS. Cott.*
exceptis trib; casib;, videlicet ubi aliqua mulier est nutrix pueri dñi Regis, vel si fuit ultra Reginam in parturiendo, vel si missa fuerit per preceptum dñi Regis ad ventrem alicuj° mulieris inspiciend. *Lib. Horn.*

2 Non jacet *Printed Copies.*

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* This is inserted in the Printed Copies as a Statute of 33 *Edw. I.* A Copy in *Lib. Cust. Lond. fo.* 161 b. agrees with that in the Text. The Text in Cay was printed from *MS. Cott. Claudius D. II.*, the Various Readings of which are given in the Notes.

† This is inserted in the Printed Copies as a Statute of 12 Ed. II. An incorrect Copy was printed by Cay from *MS. Cott. Claud. D. II.* [*fo.* 236 *b.*] In *Lib. Horn. Lond. fo.* 156 *b.* is an Entry of this Instrument, in which the Clauses are arranged very differently from other Copies.

attachm, eo qđ vič mandavit qđ non est inventus. ¶ Non jacet quia alias se essoñ de ꝟvičo dñi R. tli die & modo non misit Warrm. ¶ Non jacet quia nō nominat' in bři. ¶ Non jacet quia [nō [1]] mand fuit tli [eꝑo [2]] qđ fač venire cticum suum. ¶ Non jacet quiă resum fuit in ultima ꝑsentačone & assa mortis anteč. ([3]) ¶ Non jacet quia nondum dies. ¶ Non jacet quia dies ꝑtiit. ¶ Et sciend q̃ esson de ꝟvičo dñi ℟ jacet post ꝛram captam in manu dñi ℟ scilt post magnum cape & post ꝑvum cape, & post distr̃ [post [4]] terr̃ & cať.

[1] This Word is dotted underneath, signifying that it is to be omitted: *Lib. Horn.* omits.

[2] This Word is inserted above the Word 'die' first written by mistake.

[3] Non jacet quia preceptum fuit Vič qđ faceret eum venire. *Lib. Horn.*
Non jacet quia ꝑceptum est vič qđ distringat eum venire per terras & catalla. *Printed Copies.*

[4] ꝑ *MS. Cott: Printed Copies.*

that the Sheriff hath returned non est inventus. It lieth not where the Party another time was essoined de servitio Regis, that is to wit, such a Day and now he hath not put in his Warrant. It lieth not where he was resummoned in Assise of Mortdauncestor, or Darrien Presentment. It lieth not because [such a one was not [1]] named in the Writ. It lieth not where the Sheriff hath a Precept to distrain the Party to come by his Lands and Goods. It lieth not where the Bishop was commanded to cause [the Party [2]] to appear. It lieth not for that [the term [3]] is passed. And it is to be noted, that an Essoin de servitio domini Regis is allowed ([4]) after the Grand Cape, Pety Cape, and after Distresses taken upon the Lands and Goods.

Essoin de servitio Regis.

[1] he is not [2] *his Clerk*

[3] *the Day is not yet come; nor for that the Day*

[4] *after the Land taken into the King's Hands; that is to say*

Statutum de visu ꝛre; & essoñ de servicio dñi Regis.*

Ex MS. Lansd. 480. *fo.* 211.

VISUS non concedit' in bři de custodia: In bři de consuetudinib; et ꝟviciis; in bři de advocačõe eccłie, nisi in casu quando sunt plures eccłie in una villa de eodem sčo; In bři de dote assignata; In bři de nup obiit. Essoñ de ꝟvicio dñi Regis non jacet in bři nove disseïe; In bři dote unde nihil ħet; in bři ultime ꝑsentačõis, & appello de morte hõis.

Statute for View of Land;* And Essoin in the King's Service.

VIEW shall not be granted in a Writ of Ward; in a Writ of Customs and Services; in a Writ of Advowson of a Church, but in case where there be more Churches than one in a Town, and all of one Saint; in a Writ of Dowry to be assigned; and in a Writ of Nuper obiit. When View shall be granted or not.

Essoin of the Service of the King doth not lie in a Writ of Novel Disseisin; in a Writ of Dower unde nihil habet; in a Writ of Danein Presentment, nor in Appeal for the Death of a Man. Essoin de servitio Regis.

* This was first printed in Berthelet's *Secunda Pars Veterum Statutorum*, 1532, from whence it was inserted by Cay. The Translation is from Rastall's English Collection.

Statutū de magnis Assis' ⁊ duellis.

STATUTE concerning the Great Assises and Battle.

Ex MS. Cott. Vesp. B. VII. fo. 81.†

BATAILLE ne gnd assise se joynent pentre parentz jesq̃s il seit passee le tierce degree, lou ils cleyment ꝑ mesme la descent; mes bataille se joint entre freres lou lun est feffe & lautre cleyme ꝑ discent de ħitage. Bataille se joint, & gnd assise nent, lou un hõme est feffe & vouche a garant ꝑ chre qil ad de son feffour, le vouche poet dedire la chartre ꝑ le cors un son franc hõme, & la ne gist point gnd assise ([1]). Grant assise se joint & bataille nent, lou hõme vend ꝛre a autre [& celluy [2]] vend avant celle ꝛre, & il nad pluis de ꝛre, ꝑ quoi il rend sa chartre dont il fuist feffe; vient le heir le pm feffour & luy emplede ꝑ bř de droit, il ne p'ra sa seisine defende ꝑ le cors un son franc hõme; mes il se purra mettre en dieu & en la gnd assise. Bataille & gnd asïe se joint nent lou le demandant cleime tenir en franc mariage, franc burgage ([3]) & en Gavelkynde ([4]) & en auts maꝛez, sicome il demand fors q̃ petit chose sicome acre toft ou [estank, [5]] donq, ꝑ agard dez Justič si poet il consentier en un Jurre de xij franks hõmes, en lieu de gnd assise pur espaver [le bataille [6]] de xij chivalers [pur ceo qil dirront & front lour ꝛement encontre vite sanz dire [7]] a lour aescient.

[1] mes bataille [2] per chartre & cell purchacer
[3] ou en franke socage [4] come en Kent
[5] croft [6] le travaile et le serement
[7] et ils ferront le ꝛemēt sanz delay dont ils dirront voier

BATTLE nor the Grand Assise may not be joined between Relations, until after the Third Degree, where they claim by the same Descent: But Battle may be joined between Brothers where one is a Feoffee, and the other claims by Descent of Inheritance. *Battle is joined, and the* Grand Assise not, where one is enfeoffed and vouches to Warranty under the Charter which he hath of his Feoffor, the Vouchee may deny the Charter by the Body of one his Freemen; and there the Grand Assise lieth not, but Battle. The Grand Assise is joined and Battle not, where a Man selleth Land to another by Charter, and such Purchaser selleth over the Land, and hath no more Land, whereby he gives up the Charter by which he was first enfeoffed; then cometh the Heir of the first Feoffor and empleadeth him by Writ of Right, he cannot defend his Seisin by the Body of one of his Freemen; but he must put himself on God and the Grand Assise. Neither Battle nor Grand Assise may be joined where the Demandant claims to hold in free Marriage, free Burgage, or in free Socage, and in Gavelkynd, as in Kent; and in other Cases, as if he demand only a small Thing as an Acre, Toft, or Croft; then by Award of the Justices he may consent to a Jury of Twelve Free Men in place of the Grand Assise, to spare the Trouble and Oath of Twelve Knights; and they shall make the Oath without Delay, to say the Truth thereof to their Knowledge. In what Cases Battle, or the Grand Assise shall be joined.

† The Copy from this Manuscript was printed in Cay's Edition. The Statute was first printed in Tottell's Magna Carta, &c. 1576. The Various Readings are from that printed Copy; wherewith agrees a Copy in *MS. Lansd.* 480. *fo.* 211.

Statuta de Moneta
p'visa ap'd Karnarvan in festo s'ci Mich'is Anno xij^mo.*

STATUTES CONCERNING MONEY,
MADE AT CAERNARVON, ON THE FEAST OF ST. MICHAEL, IN THE TWELFTH YEAR.

Foreign Coin forbidden.

AGAINST the Perils and Damages which are of late come, and which hereafter may come of the Money of England, It is thus ordained; that it be cried and defended on the King's Behalf thorough the whole Realm, in all the Merchant Towns, that no Man upon grievous Forfeiture be so hardy to dispend, receive, or send Money of other Coin than of the Coin of the King of England, Ireland, and Scotland.

Importation of Money.

Also that it be defended of the King's Behalf, that none bring Money into this Country, but only for his Expences; neither that he be so hardy to arrive into England, if the Force of Tempest do not enforce him, by good witness, but at Dover, or at Sandwich, at London, and at St. Botolph, and at Southampton, and to other common Ports.

Money shall be examined at the Ports.

And when he shall come to any of these Places, he shall well and lawfully shew his Money to him that shall be assigned by the King, without any Concealment, upon Pain of Forfeiture of his Body, and that which he hath; and that from thence he carry not nor eloin the same by himself nor by other, until that his Money be viewed and examined by him whom the King shall assign.

No Money shall be sent concealed in Cloths, &c.

And Further, that it be cried and defended on the King's Behalf, upon Pain of Forfeiture of his Body and that which he hath, that no Man be so hardy to send Money between Cloths, in Fardels, or in Bales, or in any other Manner whereof Suspicion may be of any Concealment. And if there be any such found, he which found the same shall have iiij d. of the Pound, and the rest to be to the King.

Foreign and clipped Money shall be broken.

And also that it be cried and commanded on the King's Behalf, that if any find Money coined of any other Coin than of the Coin of the King of England, Ireland, or Scotland, or [rounded [1]] Money, that he break the same; and that none be so hardy to gainsay the same upon Pain of grievous Forfeiture; and he which findeth the same false shall break the same, (2) the broken Money shall be given to him who oweth it, and the false Money shall be pierced without restoring it; and the Body of him in whose Hands the false or clipped Money appeareth to be found, be taken and holden until such Time as he can find Surety, if he be a suspicious Man.

Money shall pass by Weight.

And because that many of the Poor and Rich People cannot know the light and clipped Money (3), now it is ordained, that hereafter he which ought to receive or pay Money, shall receive and pay the same by Weight of v.s. of even Weight by the Tumbrel, delivered by the Warden of the Exchange marked with the King's Mark as the Measures are; and it shall be lawful to any Man to pierce the Money which shall not [weigh [4]] the

[1] *clipped*

[2] *and no one shall gainsay it, under the same Forfeiture;*

[3] *from the other* [4] *pass*

Ex Lib. Scacc. Westm. X. fo. 41.

CONTRE les damages e les perilz ke sunt avenuz ca en arere e porrūt avenir de la moneye de Engleṫe est issi ordine, kil seit crie e defendu de part le Rey par tut le Reaume en totes les viles marchaundes ke nul home sur grevouse forfeture ne seit si hardi despendre, mettre ou receivre moneie dautre coyng ke del coyng le Rey de Engletere, de Hyrelaunde, e de Escoce.

Uncore kil seit defendu de part le Rey, ke nul ke aporte deṁs en ceo pays si ne seit p' ses despēses ne seit si hardi dariver en Engleṫe si force de torment nel chace par bon testmoniage forsp's a Dovre, e Sandwice, a Londres, a Seint Botulf, a Suth^amptone (1) as autre (2) porz.

E kaunt il vendra a akun de ces lius, kil bien e leument mustre ces deṁs a celi ke ṡra assignee de part le Rey, saun nul concelement sor forfeṫe de cors e de aver. E ke de ileokes ne porte ne ne aloigne laver p ly ne p autre jekes a taunt ke la moneye seit veue e examenee par celi ke le Rey assignera.

Derechef kil seit crie e defendu, de part le Rey sur forfeture de cors e de aver ke nul ne seit si hardi de mettre nule moneye entre dras en fardels ne en bales ou en akune maṁe dunt suspecion pusse estre de nul concelement. E si nul tel seit trovee, celi ke les trovera eit q^tre deṁs de la livre, e le remenaunt seit au Rey.

E uncore kil seit crie e comaundee, de part le Rey, ki ke unkes treove dener feru, de autre coyn ke del coyn le Rey de Engleṫe, ou de Escoce, (3) ou deṁ retondu kil le perce. E ke nul ne seit si hardy de countredire sur grevouse forfeture. E ky le trove faus kil le depesce e nul le contredie sur meme la forfetur; le dener pcee seit rendu a cely a ki il est, e le faus seit depesce saun rendre. E le cors celi en ki mains le faus dener ou retoundu apert seit trove seit p's e retenu jeskes a taunt kil eit trove son garaunt si ceo seit houme suspecenus.

E pur ceo ke mulz de genz poures e riches ne sevent conustre les leger deṁs e les retounduz, des autres, si est ordene ke desoremes ke devera receivre ou liverer deners les receive ou livre par peys de cync souz en amunt, e de cinc souz en aval par tumberel liveree p le gardein del eschaunge ṁche de merk le Rey ausi com sunt les mesures; e ben list a chescon de [porter [4]] le dener ke (5) ne [passera [6]] le

[1] et *Printed Copies.*
[2] comunes *Printed Copies.*—de cynk *MS. Cott.*
[3] ou Dirland *MS. Cott.*
[4] pcer *Rot. Pat: Printed Copies:* pescer *MS. Cott.*
[5] de rien *MS. Cott.* [6] poysera *Printed Copies.*

* In the Printed Copies Three Instruments are inserted, and attributed to 20 Edw. I. intituled, 'Statutum de Moneta magnum.' 'Statutum de Moneta Parvum.' 'Articuli de Moneta.' The Statute printed in the Text from *Lib. Scacc.* unites the Contents of the First and Third of these Instruments. The Various Readings marked *Rot. Pat.* are from an Entry on the Patent Roll 12 Edw. I. m. 5. in Cedula, of a Writ to the Keeper of the Fair of St. Botulph, 'D' quibṫdā remediis pvisis cont^a retons & falsificacōem Monete.' This Writ recites that the Inconveniencies arising from false Money, and the Remedies provided by the King and Council, are sent them in a Schedule annexed, to be observed. The Copy of this Schedule begins with the Articuli de Moneta, 'Ceo sont les choses,' &c. and then proceeds to state the proposed remedy nearly in the tenor of part of the Statutum de Moneta magnum, as printed in the first six paragraphs of the Text. The Writ printed, post pa. 220, from *Rot. Claus. 12 Edw. II.* to the Treasurer and Barons of the Exchequer appears to be the Foundation of the Statutum de Moneta parvum, as inserted in the Printed Copies, of which the Various Readings are given in the Notes. In *MS. Cott. Claudius D. II.* fo. 239, *b.* is the first part of this Statute, intituled 'Statuṫū de Moneta:' and in fo. 240 the latter part, intituled, 'Articuli ejusdem Statuti.' These were printed in Cay's Edition.

tomberel; E le dener dautre coyng ke del coyn le Rey de Engleᵗe de Hyrelaunde e de Escoce, les peis serrunt ausi ben liverez e merchez par le gardein del eschaunge cū le tomberel.

Le veur e le [regardur [1]] de la moneye ke vendra de la outre, kⁿt il les avra regarde al oyl il la pesera; E sil treove de novels denᵹs ke [ne peisent vint souz e quatre denᵹs ꝑ noumbre [2]] donkes regard par tombrel la ou la defaute serra, e perce les legers. E sil seient denᵹs ke mult seient usez si [tot [3]] entrent en la livre (4) vint souz sys denᵹs, ja le meins seient liverez a celi ke les aura [perce [5]] saun countredit; mes si plus i entrent face ausi de ces cum des autres. E le regardur avauntdit se ꝑnge ben garde kil ne ꝑnge doun ne loer por fere nule manᵹe de deport ne extorsion ne face [noun due ne nul [6]] delay issi com il veot sauver sey e ses biens.

*Ceo sunt les choses ke [sunt [7]] de ca la mer e de la a gⁿt damage noster Seignr le Rey e de son people, e a gⁿt corupcion de sa moneye de Engletere.

Primerement home fet la outre une moneye de argent de un mitre, les vint souz de la quele moneye ne peyse mes ke sezze sous e qᵗre denᵹs (8) dengleᵗre.

Derchef lem fet deus autre manᵹes de moneie o lyuns dunt il y ad bendes en lune moneye [e lautre [9]] mes kil sunt ausi legers com la moneye de mytre.

Uncore fet lem ausy de ca cū de la une manᵹe de fause moneie kest pure de quivere e est blāchie e kⁿt ele est novele ele resemble la moneye dengleᵗe.

Il y ad uncore un autre manᵹe de moneie kest fete en [Alemayne [10]] desuz le noun Eadward Rey de Engletere ke poise ausy [poy [11]] ou meis cum la moneye o la mitre e ce le ne peot estre conue si ceo ne seit par peys.

Lautre fausine ke lem fet en la moneye si est kil i ad akuns ke portent plates de peutre ou de plomb a la forme de un dener, si les mettent entre deus foilles dargent e pᵒ si les fierent ou en coyn, ou en qᵗr ou autᵉ dener ben forge ad este feru.

Les autres autre cy ben de ca com de la retondent la bone e leale moneye al damage de tot le commun. Cestes moneies ke sunt fetes ou retoundues hors dengleᵗe sunt aportez par trespassāz e nomeement par mareschaunz. E pr ceo kil seuent bien ke hom les cerche a Dovre, il les mettent en dras e en bales, si ne venent pas a Dovre, ne a Sondwik, mes se venent [au Baunk [12]] a Loundr, ou en Essex ou en [Suff ou en Norff, [13]] ([14]) ou en Lindeseie, ou as autre porz dengleᵗe ou il quident trover nule contrere; les quels choses si eles fussēt issi longement soffertes eles metreient la moneye dengleᵗe a nient.

[1] gardours *MS. Cott:* gardein *Printed Copies.*
[2] la livre ne poise mye xxs. ꝑ numbre de quatre deniers *MS. Cott: Printed Copies.*
[3] tost *MS. Cott:* toutz *Printed Copies.*
[4] de *Printed Copies.* [5] port *MS. Cott: Printed Copies.*
[6] ne doigne nul manere de *Printed Copies.*
[7] se funt *Rot. Pat.* [8] de la moneye *Rot. Pat.*
[9] & en lautre nient *Rot. Pat.* Avynein *MS. Cott.* [11] pou *Rot. Pat.*
[12] *Rot. Pat. Printed Copies* and *MS. Cott.* omit.
[13] Susseχ *MS. Cott.* [14] ou a Hulle, *Printed Copies.*

Tumbrel; and the Money of other Coin than of the Coin of the King of England, Ireland, and Scotland, the Weight shall be as well delivered and marked by the Warden of the Exchange, as the Tumbrel.

Weight of Foreign Money shall be ascertained by Viewer, &c.

The Viewer and the Warden of the Money which shall come from beyond the Sea, when he shall have any, he shall have regard unto the Age thereof, and shall weigh the same. And if he find of the new Money, that the Pound weigheth not xx s. by the Number of iiij pence, then he shall have regard by the Tumbrel where the Default shall be, (') and if [he see [2]] Money which is much used, if in the whole Pound of xxs. it want but vjd. then it shall be delivered to him who brought the same without gainsaying; and if it want more, it shall be done of them, as of the rest. And let the Warden aforesaid take good heed, that he take no Gift nor Allowance, [to make any Means of Sport,[3]] nor make any Extortion, nor give any Manner of Delay, as he will save himself and his Goods.

These be the Things which arise on this side of the Sea and on the other, to the great Damage of our Lord the King and of his People, to the great Corruption of his Money of England.

Different sorts of Foreign Money.

First, they make there abroad a Money of Silver, with a Mitre; Twenty Shillings of which Money weighs only Sixteen Shillings and Four-pence of the Money of England.

Also they make Two other Sorts of Money with Lions, whereon there are bends in the one Money, and not in the other, but which are as light as the Money with the Mitre.

Also they make as well on this Side the Sea as on the other a Sort of false Money, which is merely of Copper, and is whitened, and when it is new it resembles the Money of England.

There is also another Sort of Money which is made in Germany under the Name of Edward King of England, which weighs as little as, or less than, the Money with the Mitre, and that cannot be distinguished, unless it be by Weight.

Foreign Counterfeit Money.

The other Deceit which they make in the Money is, that there are some who bring Plates of Pewter or of Lead in the Form of a Penny, then they put them between Two Leaves of Silver, and afterwards insert them into Coin or into Copper, where another Penny well forged hath been struck.

Clipped Money;

Others, as well on this side the Sea as on the other, do clip the good and lawful Money to the Damage of the whole Community.

illegally brought into England.

Those Monies which are made and clipped out of England are brought by Passengers, and especially by Merchants. And because they know that Search is made for them at Dover, they put them into Cloths and Bales; then they come not to Dover or Sandwich, but they come to London, or into Essex, or into Suffolk, or into Norfolk, or to Hull, or into Lindsay, or to some other Ports of England, where they expect to find no Hindrance: The which Things, if they should be long permitted to be so, would bring the Money of England to nothing.

[1] *and shall pierce the light Money,* [2] *there be*
[3] *to spare any one*

* What follows is given in the Printed Copies under the Title 'Articuli de Moneta.' See Note at bottom of preceding page.

Ex Rot. Claus. 12 Edw. II. m. 14. d.

For the prohibiting any one from bringing clipped or counterfeit Money into the Realm.

[EDWARD by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitaine, to the Sheriff of Lincoln,[1]] Greeting. Because that Strange Merchants, and also some Merchants Denizens of our Realm, from Day to Day bring into the same our Realm, from the Parts beyond the Sea, our Money clipped, and other Money of divers Coins counterfeited and mingled with our Money, trafficking and buying with the same Money, to the great Loss of Us and all our People, and also to the Subversion of all our Money: We hereupon willing to provide a Remedy, unless peradventure by longer Sufferance a greater Danger might ensue, [Command you that in your full County, and in all your Cities and Merchant Towns of the same County, you cause[2]] straitly to be forbidden and openly proclaimed, That no Strange Merchant, ([3]) nor any other from henceforth, bring into the Realm any such Money of ours [rounded,[4]] or any other counterfeited of Strange Coins, or else use the same in buying or trafficking; and if they do, at the first Time wherein they shall be taken therewith, they shall lose such [rounded[4]] Money or any other Counterfeit: And if they shall be again found in the like Offence, they shall lose such Money and other Goods found with them: And if the Third Time they commit the like Offence, and be taken therewith, their Bodies and also all their Goods and Chattels shall be forfeited unto Us: But others which shall not be Merchants, and shall have such [rounded[4]] Money, or other counterfeit Money, shall presently pierce the same, and send it to our Exchange to be new coined under our Coin; or otherwise, in whose Hands such Money shall be found, ([5]) shall be unto us wholly forfeited. [And if you do not fully execute this our Commandment, We will grievously amerce you and yours. T. W. of Marchia, our Treasurer the xxj Day of June, in the Twentieth Year of our Reign.[6]]

[1] *The King to his Treasurer and Barons of the Exchequer,*
[2] *do strictly command you, that on sight of these Presents you do give in charge to the several Sheriffs on our behalf, under the Seal of our Exchequer aforesaid, that in their full Counties, and in the several Cities and Market Towns of the same Counties, they do cause,*
[3] *nor yet any Denizen* [4] *clipped* [5] *the same*
[6] *Provided moreover that all Pennies of Money clipped or counterfeited, when by the forfeiture of others the same shall come to our hands, shall be in like manner pierced and sent to our Exchequer. Witness the King at York, the second day of February. By the Council.*

De inhibicõe ne quis monetã retonsã seu controfcã defat infra regnum.

[REX Thes & Baronibz suis de Sc'ccio[1]] Saltm. Quia mcatores alienigene, ac eciã quidam indigene regni nri, de die in die defunt in idem regnũ de ptibz tnsmarinis monetam nrã retonsam & aliã de divsis cuneis controfcam monete nre cõmixtam, negociantes & mcantes de eadem moneta, in dampnũ nrm & toci popli regni nri nõ modicũ, ac eciã in subvsionẽ toci monete nre: Nos sup hoc, ne fortassis p tollerancią longiorẽ piclũ maj imineat, remediũ adhibere volentes, [vob dist'cte pcipim quaten visis psentibz singlis Vic ex pte nra sub sigillo Sc'ccii pdci mandetis, qd in plenis Com suis,[2]] & singlis Civitatibz & villis mcatoriis [eozdẽ Com[3]] firmit inhiberi & pclamari fac, Ne quis mcator alienigena [seu eciã indigena[4]] vt quicumq, alio hi monetã nram retonsam, seu eciã aliã de alienis cuneis controfcam, de ceto in regnũ nrm deferat, vel eciã ea in mcando vt negociando utat; qd si fecint p'ma vice qua sup hoc fuint deprehensi monetã illã retonsã seu eciã controfcam amittant: Et si iidem ifum in 9simili delco deprehensi fuint, monetã illã & eciã alia bona sua secũ inventa amittant: Et si cia vice idem delcm cõmisint & deprehensi fuint, de corpibz suis, & eciã omnibz bonis & catallis suis nob totalit incurrant: alii aut q mcatores nõ fuint, & moneta nram retonsã vt aliam hi contrafcam habuint, statī eã pforent & ad cambiũ nrm transmittant de novo sub cuneo nro cudendã; alioqn in quozcũq, manibz moneta hi repta fuit, nob sit penit forisfca. [Proviso insup qd omes denarii monete retonse seu controfce cũ p forisfcurã alioz ad manus nras devenint similit pforent & ad Cambiũ nrm mittant T.R. apd Eboz sedo die Febr. p Consiliũ.[5]]

[1] Edwardus dei gratia, Rex Anglie, dns Hybernie, & dux Aquitañ Vic Linc,
[2] tibi precipimus, sicut alias, quod in pleno com tuo
[3] ejusdem Com [4] *Printed Copies* omit.
[5] Et nisi hoc mandatũ nostrũ plene exequaris, nos ad te & tua graviter capiemus. T. W. de Marchia Thes nro xxi die Jun. Anno regni nostri xx.

Statutum de tenentibz p' legem Angl'.

STATUTE CONCERNING TENANTS BY THE CURTESY OF ENGLAND.

*Ex MS. Lansd. 480, fo. 188 b.**

Who shall be Tenant by the Curtesy;

WHEN a Man shall take Lands in Marriage with a Wife, if he have begotten of the same his Wife an Heir, Son, or Daughter, which shall be heard to cry within the Four Walls, if the same Husband overlive his Wife, whether the Heir live or not, the same Land shall remain to the Husband, ([1]) and after the Death of the Husband, the Lands shall return to the Donor or to his Heir; but if he have no Heir by his Wife, then after the Death of the Wife, it shall return to the Donor or to his Heir. And this is the Cause why for Land given in Marriage, Homage is not used to be received; for if any Lands were so given in Marriage or otherwise that Homage were received, it might then never lawfully revert to the Donor or to his Heir as above is said. And the same Judgement shall be of the Second Husband, as is said of the First, whether there be left any Heir of the First or not.

who not.

No Homage for Land given in Marriage.

A Second Husband.

[1] *for his life,*

CUM quis [itaq,[1]] ram cum uxe in maritagio cepit, si ex eadem uxe sua heredem fit vel filiam clamantem auditum infra quatuor pietes heat pcreatũ, si idem vir uxem suam supvixit sive heres vivat sive non [ipi viro[2]] remanebit maritagiũ illud, post mortem [viri[3]] ad donatorem vel ad ejus heredem [revsur.[4]] Si autem nullum ex uxe sua merit heredem tunc ([5]) post mortem uxis ad donatorem vel ad ejus heredem revtet. Et [si[6]] hec est causa quare [in maritagio[7]] non solet recipi homagiũ; si enim donata esset aliqua ra sic in maritagiũ vel ([8]) alio modo [qd cum recipiat[9]] homagiũ [tanqm[10]] ad donatorem de ceto vel ad ejus heredem licite posset revti ut supdem est. Illud vo judiciũ erit de scdo viro quod dcm est de primo [si heres reliquerit primo[11]] sive non.

[1] ita [2] in vita [3] vo ejus
[4] revtet [5] statim
[6] *MS. Harl.* and *Printed Copies* omit. [7] maritag tli
[8] aliquo [9] qd recipiet [10] tunc nunqm
[11] sive pimo hes reliqrt

* A Copy is given in MS. Harl. 867, fo. 64, intituled, 'Statut de leg Anglie &c.' from whence the Various Readings are taken. The Printed Copy in Berthelet's *Secunda pars Veterum Statutorum* 1532, which gives this Article without any Date, agrees with the Text except as noted. In Rastall's Collection 1683, from whence the Translation is taken, the following Note is subjoined; "But this seemeth to be no Statute, but only One Man's Opinion."

Ne Rector prosternat Arbores in Cemiterio.*

That the Rector do not cut down Trees in the Churchyard.

QUONIAM inter Rectores ecclesiarū et suos parochianos sup arboribus crescentibus in cemiterio altercationes oriri sepius intelleximus, utrisq; ad se pertinere contendentibus, hujusmodi altercationis dubium declarare [jur̄ scripti [1]] potius q; statuti jur̄ estimamus: Nam cū cemiteriū maxime dedicatū solum sit ecclesie, et quicquid plantat' solo cedat, sequitur necessarie arbores ipsas debere inter facultates ecclesiasticas numerari, de quibus laicis nulla est attributa facultas disponendi; sed sicut sacra scriptura testatur, solis sacerdotibus [dispositis [2]] cura indiscussa a Deo cōmissa decet; verum ([3]) arbores ipse propter ventorum impetus, ne ecclesiis noceant, sepe plantantur; Prohibemus, ne ecclesiarum Rectores ipsas presumant prosternere indistincte, nisi cum cancellus ecclesie necessaria indigeat refectione; Nec in alios usus aliqualiter cōvertātur; ꝑterq; si navis ecclie indiguerit similiter refectione; & rectores [pochian indig [4]] eis caritative de arboribꝰ ipsis duxerint largiend; qd fieri nō ꝑcipimus sed cum factum fuerit, [cōmend.[5]]

[1] juris sacri [2] dispositio et [3] cum
[4] parochiarum indigentium [5] comendabimus

FORASMUCH as We have understood very often that Contention hath arisen between Parsons of Churches and their Parishioners, touching Trees that grow in the Churchyard, both of them affirming that they belong to themselves; We have thought good to declare the doubt of such Contentions [by law of Writing [1]] rather than by law of Statute: For whereas the Churchyard, specially that which is dedicated, is the Soil of the Church, and whatsoever is planted upon the Soil belongeth to the Soil, it followeth necessarily, that the Trees themselves ought to be numbered amongst the Church Goods, the disposing whereof is not given to Laymen, but, as the Holy Scripture witnesseth, the care of disposing them being undiscussed by God, ought to be committed unto Priests only: But, Forasmuch as those Trees oftentimes are planted to keep away the Force of the Wind for hurting of the Churches, We will that the Parsons of Churches do do not presume to fell those Trees undiscreetly, but only when the Chancel of the Church doth want necessary Reparations; nor shall convert them to any other Use by any other means, unless the Body of the Church do likewise want Reparations, and the Parsons do of Charity think good to give of those Trees to the Parishioners wanting them; which We do not command to be done, but when it is done we do commend it.

Trees in a Churchyard belong to the Church.

They shall be used in repairing the Church.

[1] *by the Sacred Law*

* This is printed from the Copy without any Date in Berthelet's '*Secunda Pars Veterum Statutorum*' 1532. In the modern English Editions it is inserted as a Statute of 35 Edward I. The various Readings of the Text are from the Copy printed by Cay, from some Source not specified. The Translation is from Rastall's English Collection, 1603.

Les Estatutz de la Jeuerie.†

The STATUTES of JEWRY.

Ex Lib. Scacc. Westm. X. fo. 31 d.

POR ceo ke le Rey ad veu ke mouz de maus e deseritizons des ꝑdes houmes de sa ꝓre sunt avenu ꝑ les usures des Jeus e unt feť ca en arere, e ke mult de pecchez en sunt suiz ja seit ceo ke luy ou ces auncestres eient eu g'nt pru de la gyuerie tot tens ca en arere, ñe p' kaūt en le honur de deu e p' le cōmun pru del people ke le Rey ad ordine e establi ke nul geu desoremes ne ꝑste ren a usure ne sour ꝓre ne sur rente ne sour autre chose: E ke nules usures ne curgent del Seint Eaduuard precheinement passee en avaunt. Mes ke les covenauns avaunt fetes seient tuz sauvez ceo ke les usures cessent. Mes tuz ceus ke deivent dette as geus sur gages de meoble les aquitent entre cy e la Pasche e si noun, seient encoruz. E si nul face prest a usure encon̄ les establissemenz le Roy ne p ly ne par les seons ne se entremettra de fere ly recoverir son prest; einz ly punira a sa volunte p' le trespas, e al Crestien fra dreit'e [de son gage fere li recouerir son prest, einz li punira a sa volunte.[1]]

E ke les destresces des dettes de gius ne seient desoremes si grevouses ke la meite des terres e des chateus al Crestien demeorge a lur sustenaunce; e ke nul destresce ne seit fet p' dette de giuerie sur leyr au dettur nome en la chartre del Geu ne sur autre ke teigne la ꝓre ke fu a dettur, avaunt ke la dette seit dereynee e conu en la curt.

[1] de son gage recov'r.

FORASMUCH as the King hath seen that divers Evils, and the disheriting of the good Men of his Land have happened by the Usuries which the Jews have made in Time past, and that divers Sins have followed thereupon; albeit he and his Ancestors have received much benefit from the Jewish People in all Time past; nevertheless for the Honour of God and the common benefit of the People, the King hath ordained and established, That from henceforth no Jew shall lend any Thing at Usury, either upon Land, or upon Rent, or upon other Thing: And that no Usuries shall run in Time coming from the Feast of Saint Edward last past. Nothwithstanding, the Covenants before made shall be observed, saving that the Usuries shall cease. But all those who owe Debts to Jews upon Pledges of Moveables, shall acquit them between this and Easter; if not they shall be forfeited. And if any Jew shall lend at Usury contrary to this Ordinance, the King will not lend his Aid, neither by himself nor his Officers, for the recovering of his Loan; but will punish him at his discretion for the Offence, and will do justice to the Christian that he may obtain his Pledge again.

Usury forbidden to the Jews.

AND that the Distresses for Debts due unto the Jews from henceforth shall not be so grievous, but that the Moiety of the Lands and Chattels of the Christians shall remain for their Maintenance; and that no Distress shall be made for a Jewry Debt, upon the Heir of the Debtor named in the Jew's Deed, nor upon any other Person holding the Land that was the Debtor's, before that the Debt be put in Suit and allowed in Court.

Distresses for Debts to Jews.

† This is intituled in the Printed Copies 'Statutum de Judeismo.' In none of them is any Translation given. In 2 Inst. 506, it is attributed to 18 Edw. I. and to 4 Edw. I. in Prynne's Records, *Vol.* 3. *pa.* 153. In *MS. Harl.* 409. *fo.* 53, it immediately succeeds St. Westm. 1, 3 Edw. I. and precedes Stat. Glouc. 6 Edw. I: The Various Readings from that Manuscript are inserted in the Notes, wherewith an Entry in the Black Book of Christ Church, Dublin, and the Old Printed Copies agree; unless when the contrary is noted.

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Valuing of Lands and Goods taken for a Jew's Debt.

And if the Sheriff or other Bailiff, by the King's Command hath to give Seisin to a Jew, be it one or more, for their Debt, of Chattels or Land to the Value of the Debt, the Chattels shall be valued by the Oaths of good Men, and be delivered to the Jew or Jews, or to their Proxy, to the Amount of the Debt; and if the Chattels be not sufficient, the Lands shall be extended by the same Oath before the Delivery of Seisin to the Jew or Jews, to each in his due Proportion; so that it may be certainly known that the Debt is quit, and the Christian may have his Land again: Saving always to the Christian the Moiety of his Land and Chattels for his maintenance as aforesaid, and the Chief Mansion.

Warranty to Jews.

And if any Moveables hereafter be found in Possession of a Jew, and any Man shall sue him, the Jew shall be allowed his Warranty, if he may have it; and if not, let him answer therefore: So that he be not herein otherwise privileged than a Christian.

Abode of Jews.

AND that all Jews shall dwell in the King's own Cities and Boroughs, where the Chests of Chirographs of Jewry are wont to be: And that each Jew after he shall be Seven Years old, shall wear a Badge on his outer Garment; that is to say, in the Form of Two Tables joined, of yellow Felt, of the Length of Six Inches, and of the Breadth of Three Inches.

Their Badge.

Their Tax.

And that each one, after he shall be Twelve Years old, pay Three pence yearly at Easter of Tax to the King, whose Bond-man he is; and this shall hold place as well for a Woman as a Man.

Conveyances of Land, &c. by Jews.

And that no Jew shall have Power to infeoff another, whether Jew or Christian, of Houses, Rents, or Tenements that he now hath, nor to alien in any other Manner, nor to make Acquittance to any Christian of his Debt, without the especial Licence of the King, until the King shall have otherwise ordained therein.

Privileges of the Jews.

AND, Forasmuch as it is the will and sufferance of Holy Church, that they may live and be preserved, the King taketh them under his Protection, and granteth them his Peace; and willeth that they be safely preserved and defended by his Sheriffs and other Bailiffs, and by his Liege Men; and commandeth that none shall do them harm, or damage, or wrong, in their Bodies or in their Goods, moveable or immoveable; and that they shall neither plead nor be impleaded in any Court, nor be challenged or troubled in any Court, except in the Court of the King, whose Bond-men they are. And that none shall owe Obedience, or Service, or Rent, except to the King, or his Bailiffs in his Name; unless it be for their Dwellings which they now hold by paying Rent; saving the Right of Holy Church.

Intercourse between Jews and Christians.

AND the King granteth unto them that they may gain their living by lawful Merchandise and their Labour; and that they may have Intercourse with Christians, in order to carry on lawful Trade by selling and buying. But that no Christian, for this Cause or any other, shall dwell among them.

Immunity from Scot and Lot.

And the King willeth that they shall not by reason of their Merchandise be put to Lot or Scot, nor in Taxes with the Men of the Cities or Boroughs where they abide; for that they are taxable to the King as his Bondmen, and to none other but the King.

Holding Houses and Farms, &c.

Moreover the King granteth unto them that they may buy Houses and Curtilages, in the Cities and Boroughs where they abide, so that they hold them in chief of the King; saving unto the Lords of the Fee their Services due and accustomed. And that they may take and buy Farms or Land for the Term of Ten Years or less, without taking Homages or Fealties, or such sort of Obedience from Christians, and without having Advowsons of Churches; and that they may be able to gain their living in the World, if they have not the Means of Trading, or cannot Labour; and this Licence to take Lands to farm shall endure to them only for Fifteen Years from this Time forward.

E si Visconte u autre baillif p comaundemẽt le Rey deit fere seisine al Geu a un ou a plusurs p^r lor dette de chateus ou de terre a la value de la dette, les chateus seient p^s p serement des p̄deshomes e seient baillez a Geu ou a Geus ou a lur message a la mountaunce de la dette; e si les chateus ne suffisent, les terres seẽt estenduz p meme le serement avaũt ke la seisine seit livere a Geu ou a Geus a checun solom son afferaunt: issi ke lem puisse sa᷑ p̄einement ke la dette est quite, e la Crestien pusse reaver sa p̄re, donc sauve tuz jor^s al Crestien la meyte de la p̄re e de ces chatels a sa sustenaunce, com est dit e le chef mees.

E si nul choses meobles ap̄s ces hures seit trove en la seisine a Geus, e nul vodra suire, le Geu eit son garant si aver le poet, e si nō respoigne; issi ke mes ne seit de ceo p^rvilege autrement ke Crestien.

E ke tus les Geus seient menauns en les citez e en les burgs propres les Rey, ou les Whuches Cirog^raffes de Geuerie soleient estre: e ḳ checun Geu pus kil avra passee set anz, porte enseine en son soverain garnement cest assav^r en fourme de deus tables joyntes de feutre iaune de la longure de sis poucerẽs e de la laur de treis pouz. E ke checun pus kil aura passe duzze anz paie tres den̄s p an de [taillage[1]] au Rey [ky serf il est[2]] a la Pasche e ceo seit entendu ausi ben de femẽ com de houme.

E ke nul Geu neit poer de feffer autre Geu ne Crestien de lor mesons rentes ou tenemenz kil eient eu apmemes, ne de alener a nul autre maṅe ne de fere aq^taunce a nul Crestien de sa dette saun le conge le Rey especial taunt ke le Rey en eit autre chose ordine.

E por ceo (3) Seinte Eglise velt e seoffre kil vivent e seient gardez le Rey les prent en sa p̄tection e lor doune sa pes; e veult kil seient sauvement gardez e defenduz par ces viscontes e par ces autres baillifs e p ses feus; E comaunde ke nul ne lor face mal ne damage ne tort, en lor cors ne en lor bens meobles ou nent meobles e kil ne pleydent ne ne seient enpleidez en nuly curt, ne chalangez ne t^vaillez en nuli curt fors en la curt le Rey ky serfs yl sunt. E ke nul ne seit obeissaunt ne responaunt ne rente rendaũt, (4) sauve le dreit de Seint Eglise.

E le Rey lor g^aṅte kil vivent de marchaũdise leaus e p lor labur e kil cōmunient ove les Crestiens p^r leument marchaunder et vendaunt e en echataunt. Mes ke par cest encheson ne p autre nul Crestien ne seit cochaunt ne levaunt entre eus. E ne velt pas le Reys par encheson de lor marchandise kil seient lote ne en escot ne en taillages o ceus des Citez ou des Burgs ou il meinent de ci cum il sunt taillables al Rey come ses serfs e a nul autres, for a Rey.

Derechef le Rey lor g^aṅte kil pussent achater mesons e curtilages en les citez e en les burgs ou il meynent issi kil les tenent en chef du Rey sauve as seign^ages lor services dues e costumes. E kil pussent [p̄ndre e achater fermes ou p̄re[5]] a ṫme de dyz ans ou a meins, saun p̄ndre homages ne feutez ne tele maṅe de obeissaunce de Crestiens, e saunz aver avouweson de Eglise e p^r gainer enle secle lor vivre sil ne seuent marchaunder, ou il ne pount laborer; e ceo p^r p̄ndre (6) a ferme ne lur dorra for q^lnz anz de cet hure en avaunt.

[1] chevage [2] qui serfs il sunt [3] ke
[4] fors ke al Roy, ou a ses Baillifs en son non, si ceo ne seit de lur mesuns, ke il tienent p^r rente rendant,
[5] { prendre terres & chater fermes, *Lib. Nig. Æd. Chr. Dub.*
prendre & achaṗ ſmes *MS. Harl.*
prendre terres a ferme *Printed Copies.*
[6] terres

Statutū de Gaveleto in London'.*

The STATUTE of Gavelet in London.

Ex Lib. Horn, London' fo. 91, b.

PROVISUM est p dñm Regem & Justič suos, & [a [1]] Civibus Londoñ concessum, qđ [si [2]] Archiepi Epi Abbates Priores Comites Barones & alii qui ħent Redditus in Civitate Londoñ, & in aliquibus [redditibus illis [3]] eis aretro sunt ([4]) redditus illos possunt recupare, qđ bñ liceat eis distngere tenentes suos pro arreragiis suis, qmdiu aliquid inveniat' in feodo per quod distngi possint, & ([5]) tunc ipi tenentes inplacitent' de Gaveleto, p quoddam breve de consuetudinibz & serviciis, quod bene fieri potest p Sokerennos eoz in hustengo presentatos, ad custodiam soke sue ad Redditus suos colligendos; Ita qđ si tenentes cognoverint serviciū suū, statim & sn difficultate satisfaciant Dñis suis de arreragiis suis. Si autem servicia sua eis denegaverint petentes statim nōiabunt sectam suam scilič duos testes, & abreviabunt', & habebunt diem [procedendi [6]] eos ad proximū Hustengum; ad quem diem si ipos ([7]) produxint & p eos [in Cur sua [8]] ostendatur, de visu suo & auditu, qđ ipi conquerentes aliqñ pceperunt Redditus, quos petunt de tenementis, tunc ipsi tenentes amittant feoda sua per judiciū Cur, & conquerētes recupabunt teñ sua in dñico. Si aut ut prędcm est, [cognoverint [9]] dñis suis servicia, & similit arreragia, tunc p judiciū dče Cur duplicabunt' arreragia, Et [debent [10]] Vič pro injusta detentione, si ad hoc sufficiant sine gravamine, [habere Cētū solidos.[11]] Si autem post debitam sumonicionem ad Hustengum non venerint, tunc feoda illa in pleno Hustengo conquerentibus [ħebunt' [12]] tenend in manibus suis per unū annū & unū diem; [Et [13]] si Tenentes venerint ad eos & optulerint eis satisfacere de arreragiis suis duplicandis, & Vič de ñia sua ut pdčm est, tunc rehabebunt tenementa sua, Sin autem post annū completū remanebunt teñ illa Dñis feodoz eoz, p judiciū Cur, in dñico suo imppetuū; et tunc vocantur teñ illa [forthot,[14]] eo qđ [inppetuum remanebit [15]] in dñico dñis feodoz, pro defectu servicii. Idem autem tenendum est & observandum, si tenentes cognoscant arrèragia sua, & non possunt inde satisfacere scdm qđ prędcm est.

[1] [2] *Printed Copies* omit.
[3] teñ redditus illi
[4] nec
[5] si nihil inveniatur in feodo per quod distringi possint
[6] ducendi *Lib. Cust.*—pducendi *Lib. Alb.*
[7] testes
[8] in plena Curia
[9] recognoverint *Lib. Cust. and the earliest Printed Copies.* / non recognoverint *Tottell.*—cognoverit *Lib. Alb.*
[10] dabunt
[11] C. s.
[12] liberabunt'
[13] Infra quem terminū
[14] forsshott *in Marg.*—forschot—forshot. *Lib. Cust.* / Forshot *Lib. Alb.*—forschoc *Pyns.*—forchoc *Berth.* / forschoke *Tott.*
[15] teñ illa in perpetuum remanebunt

IT is Provided by our Lord the King and his Justices, and also granted unto ([1]) the Citizens of London, That ([2]) Archbishops, Bishops, Abbots, Priors, Earls, Barons, and other that have Rents in London, and for some Tenements the Rents are behind, and ([3]) cannot recover those Rents, that it shall be lawful for them to distrain their Tenants for their Arrerages, so long as any Thing is found in the Fee, whereby they may be distrained; and if they have nothing in the Fee, whereby they may be distrained, then the Tenants shall be impleaded [by a Writ of Gavelet [4]] of Customs and Services, which may be well done by the Freemen of their City presented in their Hustings, for the keeping of Suit, to gather their Rents; so that if the Tenants do acknowledge their Services, they shall presently and without Delay satisfy their Lords of their Arrerages. And if they deny them their Services, the Demandants shall immediately name ([5]) two Witnesses, whose Names shall be inrolled, and shall have Day to bring them forth at the next Hustings; at which Day if they bring forth ([6]) Witnesses, and it is shewed by them in the full Court of their own Sight and Hearing, that the same Plaintiffs have any Time received the Rents which they demand of the Tenements, then the Tenants shall leese their Fees by Award of the Court, and the Plaintiffs shall recover their Tenements in Demean. [If they will not [7]] acknowledge the Services unto their Lords, as before is said, and likewise the Arrerages, then the Arrerages by Judgement of the Court shall be doubled, and they shall give to the Sheriff for the wrongful withholding, [if they be worth so much, C. s. without any Difficulty: [8]] And if they do not come in after due Summons in the Hustings, then the same Fees shall be delivered unto the Plaintiffs in the full Hustings, to be holden in their own Hands for one Year and a Day; within which Time if the Tenants do come unto them, and do offer to satisfy them of the Arrerages double, and to the Sheriff for his Amerciament, as before is said, then they shall have their Tenements again; but if [it be [9]] after one Year and a Day accomplished, such Tenements shall remain unto the Lords of those Fees, by Judgement of the Court, in their Demean for ever; and then such Lands shall be called Forschoke, because such Tenements shall remain for ever in Demean to the Lords of the Fees, for Default of the Service. The same Ordinance shall be kept and observed if the Tenants do knowledge the Arrerages, and be not able to make Satisfaction therefore, as it is said before.

Proceedings for Recovery of Rents in London;

Where the Tenants deny the Services.

Where the Tenants admit the Services, &c.

Where the Tenants make Default.

[1] by
[2] *where*
[3] *they*
[4] of the Gavelet, by a Writ
[5] *their Suit, to wit:*
[6] *their*
[7] But if they will
[8] if they be able to do it, without overcharging of them, the Sum of C. s.
[9] not, then

* This has been usually attributed to the 10th Year of King Edward II. A Copy entered in *Lib. Cust. Lond. fo.* 154. and another in the *Transcriptum Libri Albi, London, Part IV, fo.* 59 *b*, agree with that printed in the Text from *Lib. Horn*, except in the Instances noted. The other Various Readings are from the Old Printed Copies.

Consuetudines Cantiae.*

The CUSTOMS of KENT.

THESE are the Usages and Customs, the which the Comunalty of Kent claimeth to have in the Tenements of Gavelkinde, and in the Men of Gavelkinde, allowed in Eire before John of Berwike, and his Companions, the Justices in Eire in Kent, the Twenty-first Year of King Edward, the Son of King Henry; that is to say, that all the Bodies of Kentishmen be free, as well as the other free Bodies of England. And that they ought not the Eschetor of the King to chuse, nor ever in any Time did they: But the King shall take, or cause to be taken, such an one as it shall please him, to serve him in that which shall be needful. And that they may their Lands and their Tenements give and sell, without Licence asked of their Lords: Saving unto the Lords the Rents and the Services due out of the same Tenements. And that all and every of them may, by Writ of the King, or by Plaint, plead for the obtaining of their Right, as well of their Lords as of other Men. And they claim also, that the communaltie of Gavelkindmen, which hold none other than Tenements of Gavelkinde nature, ought not to come to the common Summonce of the Eire, but only by the Borsholder, and Four Men of the Borough; except the Towns, which ought to answer by Twelve Men in the Eire. And they claim also, that if any Tenant in Gavelkinde be attainted of Felony, for the which he suffereth Execution of Death, the King shall have all his Goods, and his Heir forthwith after his Death shall be inheritable to all his Lands and Tenements which he held in Gavelkinde in Fee, and in Inheritance; and he shall hold them by the same Services and Customs as his Ancestors held them; whereupon it is said in Kentish, 'the Father to the Boughe, and the Sonne to the Plough.' And if he have a Wife, forthwith be she endowed by the Heir, if he be of Age, of the one half of all the Lands and Tenements which her Husband held of Gavelkinde nature in Fee; to have and to hold according to the Form hereafter declared. And of such Lands the King shall not have the Year, nor Wast, but only the Goods, as is before said. And if any Man of Gavelkind, either for Felony or for Suspicion

The Bodies of Kentish Men, free.

They do not choose the King's Escheator.

They may give and sell Lands without Licence.

Plead by Writ or Pleint.

Appear by Borsholder.

No Escheat for Felony, except of Goods only.

Felon's Wife dowable.

No Year nor Waste.

Ex MS. Harl. 667, fo. 83 b.

CES sunt les Usages [e les Custumes [1]] les quels la cōmunealte de Kent cleyment aver en tenemenz de Gavelkynde e en genz Gavelikendeiz; ([2]) Ceo fet asaver, ƙ touz les [cors de Kenteys [3]] seyent francs ausi cū les autres francs [cors [4]] de Engleſre. [[5]E ƙ il ne deyvent le Eschetours le Rey eslire ne unkes en nul tens ne feseient; Mes ƙ ly Rey prenge ou face prendre tel cū li plerra de ceo ([5]) mester a li servir.[6]] E ƙ il pussent lur teres e lur tenemenz doner [e [7]] vendre sanz counge demander a lur seygnurs sauve as seygnurages les rentes e les services dues de mesmes les tenemenz. E ƙ [touz e [8]] chescun pussent p̄ bref le Rey ou par pleynte pleyder pur lur dreyt purchasser ausy bien [de [9]] lour seignurages cū des autres genz. E cleyment ausi ƙ la cōmune de Gavelykendeis ƙ ne tenent mes ƙ tenemenz Gavelikendeiz ne deivent venir a la cōmune somunce del Eyre, mes ƙ par [borghesaldre [10]] e quatre hōmes de la borghe horspris les Villees ƙ deyvent respundre p̄ xij hōmes en le Eyre. E cleyment ausi ƙ si nul tenant en Gavelikende seit ateynt de felonie par quey il suffre [Juise [11]] de mort, eyt ly Reys touz ses chateals; e sun heir meyntenant apres sa mort seit enherite de totes ses teres e tenemenz ƙ il tynt en Gavelikende en fee e en heritage, [e les tendera p̄ mesmes les servises e costumes si cum ses auncestres les tindrent:[12]] dunt est dit en kenteyz [Se Vader to þe boghe, and se sone to þe Loghe;[13]] E si il eyt femme meyntenant seit dowe p̄ le heir si il seit de age [de la moyte de totes les teres e tenemenz ƙ sun baroun tint de Gavelikende en fee[14]] ([15]) e a tenir soulum la fourme [suthdite.[16]] E de celes teres le Rey ne avera an ne Wast mes tantsoulement les chateals si cū il est avantdit. E si nul Gavelikendeiz pur felonie ou pur Ret

[1] *T.* & *MSS.* omit.
[2] allowes en Eire John de Berewike, e ses compagnons Justices en Eire, en Kent, le 21 an le Roy Ed. fitz le Roy Henrie. *L. as supplied by another old Copy.*
[3] corps Gavelkindes *T.*—cours Gavelekendeys *MS. Cott.*—co-rz Gavelekendeys *Lib. Horn. apparently altered from* courz.
[4] Cours *MS. Cott.*—co-rs *Lib. Horn.*
[5] qui soit *L.* [6] *T.* & *MSS.* omit. [7] ou *T.*
[8] *T.* & *MSS.* omit. [9] desouth *T.* and *MSS.*
[10] borges-Aldremans, *MS. Cott.* [11] fuise *T.*
[12] *T.* & *MSS.* omit.
[13] þe fader to þe boughe, and þe son to þe plogh. *L.*: Sonde the father to the boughe; Sond the sonne to the ploughe *T.* Somone þe fader to þe bogh and þe sone to þe logh *MS. Cott.* Sone [*struck through with a pen*] þe fader to þe bogh, son [*struck through*] þe sone to þe plogh. [*under* plogh *is written* Lowe,] *Lib. Horn.*
[14] *T.* & *MSS.* omit. [15] a aver *L. T.* & *MSS.*
[16] avauntdite *T*: *Lib. Horn.*

* This Title is inserted from the Copy in Tottell's Edition of Magna Carta and the Old Statutes, printed in 1556. In *MS. Cott. Claudius D. II. fo.* 122; *Lib. Horn, fo.* 77, *b*; and other Manuscripts, this Instrument is intituled 'Statutum de Consuetudinibus Kancie.' The Copy in the ancient Manuscript from which the Text is printed is very similar to that printed by Lambard in his 'Perambulation of Kent,' which is stated by him to be more faithful than that printed by Tottell, being taken out of an ancient and fair written Roll given to Lambard by Mr. George Multon his Father in Law, and which formerly belonged to Baron Hales of Kent. This Roll Lambard supposes to have been written in the Time of King Edward I. In Robinson's 'Common Law of Kent' a Copy is quoted from an ancient Manuscript in Lincoln's Inn Library; but it is more imperfect and incorrect even than that printed by Tottell. The Translation given above is printed from that made by Lambard "not of any Purpose to bind the learned unto it but of a desire to inform the unlearned by it." See *Lamb. Per. Kent.* (*Edit.* 1596) pa. 530, 549, 550, 568, 570 *& seq.* The Various Readings marked *L.* refer to that Edition: those marked *T.* refer to Tottell's Printed Copy; *T.* & *MSS.* signifies that the Copies in *MS. Cott*: and *Lib. Horn.* agree with that Printed Copy.

de felonie sey sustret de la pes, e seit demande en Counte cū il appent e puys utlage, ou si il se met en seynt Eglise e forjure la tere [ou le Realme,'] Le Rey avera le an e le Wast [de ses teres e de touz ses tenemenz [2]] ensemblement od [touz ses [3]] chateals; Issi ƙ apres le an & le jour les [plus [4]] procheyns [seygnur ou [5]] seygnurs eyent lour Eschetes de celes teres e tenemenz, chescun seygnur ceo ƙ de ly est tenu saunz meen. (*a*) E cleyment ausi ƙ si aucun tenant en Gavelikende murt e seit enherite des teres e tenemenz de Gavelikende, ƙ touz ses fiz partent cel heritage ꝑ owel portiun. E si nul heyr madle ne seit, seit la ꝑtie fete entre les femeles si cum entre les freres. E le mesuagie seyt autresy entre eus depty; mes ƙ le astre demorra al pusne, [ou a la pusnee,[6]] e la value seit de ceo livre a chescun des ꝑceners de cele heritage, a quarante [peez [7]] de cel Astre si le tenemēt le put soffrir. E dunkes [le Eyne frere [8]] eyt la primere electioun, e les autres apres ꝑ degree. Ensement des Mesuns ƙ serrunt trovez [en tels Mesuagies [9]] seyent departis entre les heirs ꝑ owel portioun, Ce est asaver ꝑ [peces [10]] si il est mester, sauve le covert del astre ƙ remeynt al pusne ou a la pusnee sicum il est avant dist, issi nequedent ƙ le pusne [[b]face [a]ou la pusnee [11]] renable gre a ses ꝑceners de la partie ƙ a eus appent par agard [des [12]] bone genz. E des avant dites tenemēz dunt une soule sute tantsoulement soleit estre fete avant, ne seit ꝑ la reson de la deptie fors une soule sute fete sicum soleyt avant; Mes ƙ touz les ꝑceners facent contribution a celi ƙ fet la sute pur eus. Ensement seyent les chateals de Gavelikendeiz partiz en treys apres les exsequies e les dettes rendues si il y eit issue mulure en vie; issi ƙ le mort eyt la une ꝑtie, e les fiz [e les filles [13]] mulurez lautre partie, e la fēme la tierce partie. E si nul issue mulure ne seit en vie, eyt le mort la moyte, e la femme en vie lautre moyte: E si le heir ou les heirs seit ou seient dedenz le age de quinze anns seit la nouriture de eus baille [ꝑ le Seygnur [14]] al plus procheyn del sank, a ky heritage ne put dessendre, issi ƙ le seygn[r] pur le bayl riens ne prenge; E ƙ il ne seit marrie par le Seygnur mes par ꝑa volunte demeygne e ꝑ le conseil de ses amis si il veut: E kant cel heir ou ceus heirs seyent de plener age de quinze anns, seient a eus lur teres e lur tenemenz liverez ensemblement od lour chatels e ove les enpruemenz de celes teres outre lour renable sustenance;

[1] [2] *T. & MS.* omit.
[3] les *T.* and *MSS.*
[4] [5] *T. & MSS.* omit.
[6] *T.* omits.
[7] piece *T.*
[8] leygne *T. & MSS.*
[9] en ses mains *T.*—en tieus mesuages *L.*—en ceus mesouns *MS. Cott.*
[10] peies *L.*—pees *T. & MSS.*
[11] this is to be read [a] ou la pusnee face [b]' the Transposition being signified by the superior Letters [a] and [b]. *L: T. & MSS.* omit [a] la pusnee.'
[12] de *L.*
[13] *T.* omits.
[14] *T. & MSS.* omit.

of Felony, withdraw him out of the Country, and be demanded in the County as he ought, and be afterward outlawed, or put himself into the Holy Church, and abjure the Land and the Realm, the King shall have the Year and the Wast of his Lands and of all his Tenements, together with all his Goods and Chattels: So that after the Year and the Day, the next Lord or Lords shall have their Eschetes of those Lands and Tenements, every Lord that which is immediately holden of him. (*a*) And they claim also, that if any Tenant in Gavelkinde die, and be an Inheritour of Lands and Tenements in Gavelkinde, that all his Sons shall part that Inheritance by equal Portions. And if there be no Heir Male, let the Partition be made between the Females, even as between Brothers. And let the Messuage also be departed between them, but the Hearth for Fire shall remain to the youngest Son or Daughter; and be the Value thereof delivered to each of the Parceners of that Heritage, from xl. Feet from that Astre, if the Tenement will so suffer: And then let the eldest Brother have the first Choice, and the others afterward according to their Degree. Likewise of Houses which shall be found in such Messuages, let them be departed amongst the Heirs by equal Portions, that is to weete, by Foot if need be, saving the Covert of the Astre, which shall remain to the youngest Son or Daughter as is before said: So nevertheless that the youngest make reasonable Amends to his Parceners, for the Part which to them belongeth, by the Award of good Men: And of the aforesaid Tenements, whereof one only Suit was went to be made before Time, be there not by reason of the Partition but one sole Suit made, as it was before accustomed: But yet let all the Parceners make Contribution to the Parcener which maketh the Suit for them. In like Sort let the Goods of Gavelkinde Persons be parted into Three Parts, after the Funerals and the Debts paid, if there be lawful issue on live: So that the Dead have one part, and his lawful Sons and Daughters another Part, and the Wife the Third Part. And if there be no lawful Issue on live, let the Dead have the one Half and the Wife on live the other Half. And if the Heir or Heirs shall be under the Age of Fifteen Years, let the nourtriture of them be committed by the Lord to the next of the Blood to whom the Inheritance can not descend, So that the Lord take nothing for committing thereof; and let not the Heir be married by the Lord but by his own Will, and by the Advice of his Friends, if he will: And when such Heir or Heirs shall come to the full Age of Fifteen Years, let their Lands and Tenements be delivered unto them, together with their Goods, and with the Profits of the same Lands remaining above their reasonable Sustenance;

Flying for Felony causeth Forfeiture of Lands.

Inheritance of Lands partible.

The Hearth shall remain to the youngest.

One Suit for all the Parceners;

Contribution thereon.

Partition of Personals, of the deceased.

Custody of the Heir in Gavelkind;

Marriage.

Full age.

(*a*) Somner in his "Treatise of Gavelkind," pa. 171, (Edit. 1726.) gives the following Clause, with the Translation, to be inserted in this Place; from an ancient Copy "registred in a quondam Book of St. Augustine's Abbey at Canterbury," then in the Possession of Sir Roger Twysden.

E si home ou femme seit feloun de sei mesmes, qe il sey mesmes de gre se ocye, le Roy aura les chatteux tuts & nient l' an ne le Wast, mes le heir seit tantost enherite sans contredit, kar tout seit il feloun de sey mesmes, il neyt my atteint de felonye.

And if a Man or Woman shall be a Felon of him or herself, who shall kill him or herself of his or her own accord, the King shall have all the Chattels, and not the Year and the Waste, but the Heir shall immediately inherit without Contradiction; for albeit he or she be a Felon of him or herself, he or she is not attainted of Felony.

And that this is one of the Customs of Kent, See *Itin. Kanc. 55 Hen. III. Rot. 34 d.*

of the which Profits and Goods let him be bound to make answer which had the Education of the Heir, or else the Lord or his Heirs which committed the same Education: And this is to be understood that from such Time as those Heirs in Gavelkinde be of, or have passed, the Age of Fifteen Years, it is lawful for them, their Lands or Tenements, to give and sell at their Pleasure; saving the Services to the chief Lords as is before said. And if any such Tenant in Gavelkinde die, and have a Wife that over liveth him, let that Wife by-and-by be endowed of the the one Half of the Tenements whereof her Husband died vested and seized, by the Heirs, if they be of Age, or by the Lords if the Heirs be not of Age; so that she may have the one Half of those Lands and Tenements to hold so long as she keepeth her a Widow, [or shall be attainted of Childbirth,[1]] after the ancient Usage; that is so say, that if when she is delivered of Child, the Infant be heard cry, and that the Hue and Cry be raised, and the Country be assembled, and have the View of the Child so born, and of the Mother, then let her lose her Dower wholly, and otherwise not, so long as she holdeth her a Widow; whereof it is said in Kentish, "He that doth wende her, let him lende her." And they claim also, that if a Man take a Wife which hath Inheritance of Gavelkinde, and the Wife dieth before him, let the Husband have the one Half of those Lands and Tenements whereof she died seised so long as he holdeth him a Widower, without doing any Strippe or Waste, or [Banishment,[2]] whether there were Issue between them or no: And if he take another Wife, let him lose all. And if any Tenement of Gavelkinde do Escheat, and that Escheat be to any Lord which holdeth by Fee of Hawberke, or by Serjeancie, by Death or by Gavelate as is hereafter said, or be to him rendred by his Tenant which before held it of him by quiteclaim thereof made, or if his Escheat be by Gavelate as is hereafter said, let this Land remain to the Heirs unpartable: And this is to be understood where the Tenant so rendering doth retain no Service to himself, but saveth nevertheless to the other Lords their Fees, Ferms, and the Rents wherewith the aforesaid Tenements of Gavelkind, so rendred, were before charged, by him or them which might charge them. And they claim also, that if any Tenant in Gavelkinde withhold his Rent and his Services of the Tenement which he holdeth of his Lord, let the Lord seek by the Award of his Court [from Three Weeks to Three Weeks, to find[3]] some Distress upon that Tenement until the Fourth Court, always with Witnesses: And if within that Time he can find no Distress in that Tenement, whereby he may have Justice of his Tenant, then at the Fourth Court let it be awarded, that he shall take that Tenement into his Hand, in the Name of a Distress, as if it were an Ox or a Cow, and let him keep it a Year and a Day in his Hand without manuring it; within which Term if the Tenant come

The Wife's Dower of the One-half;

during her Widowhood, and while chaste, &c.

Husband Tenant by the Courtesy of the one half.

While a Widower.

Escheat.

Surrender.

Proceedings upon the Custom of Gavelate.

[1] *and without Child; of Childbirth she shall be attainted*
[2] *Destruction* [3] *holden from three Weeks to three Weeks*

de quel enpŕouement e chatels seit tenu a respoundre celi ƙ [de li[1]] avera [la[2]] noriture, [ou[3]] le seygnur [ou ses heirs ƙ[4]] cele noriture avera baille: E ce fet asaver ƙ del houre ƙ tels heirs de Gavelikende [seient ou ount[5]] passe le age de quinze auns, List a eus lour teres e lour tenemenz doner [e[6]] vendre a lour volunte, sauve les servises [des chefs[7]] seygnurages cum il est devant dist. Et si nul tel tenant en Gavelikende meurt, e eyt femme ƙ li survive, seit cele fēme meyntenant dowe [de la moyte de touz les tenemenz[8]] dunt sun barun morust [vestu e[9]] seisi, p les heirs si il seyent de age, ou p les seygnurs si les heirs ne seient pas de age; issi ƙ ele eyt la moyte de celes teres e tenemenz [a tenir[10]] tant cū ele se tient veue ou [de enfanter[11]] seit ateynt p le auntien usage; ce est asaver ƙ quant ele enfante, e le Enfant seit oy crier e [ƙ le hu e[12]] le cri seit leve e le pays [ensemble[13]] e eyent vewe del enfant [ensi enfante[14]] e de la mere, adūƙ pde sun doweyre [enterement,[15]] e autrement nyent [tant cū ele se tient veue;[16]] dount il est dist en Kenteys [Se þat his wende, se his lende.[17]] E cleyment ausi ƙ [si[18]] hōme ƙ prent fēme ƙ eyt heritage de Gavelikende e la femme meurge avant li, eyt le barun la moyte de celes teres [e[19]] tenemenz tant cū il se tient vevers, dunt [ele[20]] morust seysie sanz estrepemēt ou Wast ou exil fere, le quel ƙ il y eit heir entre eus ou noun. E sil prent femme trestout pde. E si nul tenement [de[21]] Gavelikende eschete [&[22]] ceo escheite seit a nul seignur ƙ [tyene[23]] p fee de Hauberk ou p serjantie [p mort ou p Gavelate sicome il est suthdite, ou li[24]] seit rendu de son tenant ƙ de li avant la tient p [quiteclance[25]] de ceo fete, ou seit sa Eschete p Gavelate si cum il est desuthdist, remeyne cele tere as heirs [nounptable.[26]] E ceo fet asaver la ou le tenant ensi rendant, nul servise retient devers sey, [sauve nequedent as autres seignurages, fees, fermes, e les rentes dunt les avantdites tenemenz de Gavelikende ensi rendūz avant furēt chargees p ceus ou p celi ƙ charger les poeyent ou poeyt.[27]] E cleyment ausi ƙ si nul tenant en Gavelikende [retyene[28]] sa rente [e[29]] sun service del tenement ƙ il tient de sun seygnur, querge le Seignur p agard de sa court de treis simeynes en treys simeynes [tenue, destresse[30]] sur [cel tenemēt[31]] tant ƙ a la quarte court a tote feth (32) tesmoynage. E si dedenz cel tens ne trusse destresse en cel tenemēt p quey il pusse sun tenant Justiser, dūƙ a la quarte court seit agarde ƙ il prenge cel tenemēt en sa mayn, en noun de destresse ausi cum boef ou vache, e le tyene un an & un jour en sa meyn sanz meynoverir, dedenz quel terme si le tenant vient e rent ses

[1] luy *T. & MSS.* [2] en *T. & MSS.* [3] au qui *T.*
[4] et ses heyres *T.* [5] averont *T. & MSS.* [6] ou *T.*
[7] au chefz *L.*—a lour *T.* [8] dez tenementz *T. & MSS.*
[9] *T. & MSS.* omit. [10] et tiendra *T.*
[11] desenfantee. De enfant *T.* [12] *T. & MSS.* omit.
[13] se assemble *MS. Cott.*
[14] [15] [16] *T. & MSS.* omit.
[17] fe þar þin penþe fe þin lenþe. *L.*—Hie þat hys Wydue, hie his leuedi *MS. Cott.* *The Word* Hie *in both Places on an Erasure.*—Schoe þat his Wydue so his leuedy *Lib. Horn.*—Sey is wedue, Sey is leuedue *T.*
[18] *L. T. & MSS.* omit. [19] ou *T.* [20] il *L.*
[21] en *T.* [22] *T.* omits. [23] *T. & MSS.* omit.
[24] a luy *T.*—ou luy *MS. Cott.*
[25] quite clamaūce *L.* [26] impartable *L.*
[27] *T. & MSS.* omit these Sentences.
[28] ne reteine *T.* [29] ou *T. & MSS.*
[30] truue destresse *L.* de trover Distresse *Les Termes de la Ley; tit. Gavelet.* cels distresses *T. & MSS.*
[31] le tenant *T. & MSS.* [32] per *L. T. & MSS.*

arerages, e fet renables amendes de la [detenue,[1]] adunk eyt e joysse sun tenement si cū ses auncestres [e li avant le[2]] tindrent. E si il ne vient mie [devant[3]] le an e le jour passe, dunk [auge[4]] le seygnur al ꝑcheyn Counte suant, ove tesmoynage de sa court, e face la ꝓnuntier cel proces ꝑtr tesmoynage aver. E ꝑ agard de sa Court apres cel [coūte[5]] tenue, entra e meynovera en celes teres e tenemenz si cū en sun demeyne. E si le tenant vient apres e voile ceus tenemenz reaver e tenir sicum il fist avant, face gre al seignur sicū il est auntienemēt *dist* [en kenteys[6]] [Neghesiꝑe yelde, and Neghesiꝑe gelde, and vif pund for ꝑe Were, her he bicome healdere:[7]] [[8]hoc est novies arreragia solvere et novies arreragia deaurare et centū soliđ ꝑ detentione redditus antequam tenemētū rehēat, &c.[8]] [[9]Ausi il cleyment ƙ nul hōme deit serment sur livre fere par destresse[9]] ne ꝑ poer de Seign[r] ne de ([10]) baillifs encountre sa volunte sanz bref le Rey, ([11]) si noun pur feaute fere a sun Seignur: Mes ƙ ꝑ devant Corouner ou autre Ministres le Rey [ƙ real poer eyent de enquere de trespas fete encountre la Coroune nr̄e Seignur le Rey.[12]] E cleyment ausi ƙ chescun Kenteys puet autre essoygnier ([13]) en la Court le Rey, en counte, en Hundrez, e en la Court sun seignur la ou essoigne gist ausi bien de cōmune sute cū de ([14]) play. Estre ceo il cleyment ꝑ especial fet le Rey Henri [fiz le Rey Johan[15]] ƙ des tenemenz ƙ sunt tenuz en Gavelikende ne seit prise [battaille ne[16]] grant assise ꝑ douze chivalers sicū aillurs est prise en le realme; Ceo est asaver la ou le tenant e le demandant tyenent ꝑ Gavelikende. [Mes[17]] en leu de ces grantes assises seyent prises Jurrees ꝑ douze hōmes tenanz [en[18]] Gavelikende; issi ƙ quatre tenanz de Gavelikende elisent douze tenanz de Gavelikende Jurreurs. E la chartre le Rey [de cest[19]] especialte [fust baille[20]] en la garde Sire Johan [de Northewode[21]] le jour seynt [Elfegh[22]] en Canterbire, le an [le Rey Edward le fiz le Rey Henri vinteprimer[23]] [en le Eyre Sire Johan de Berewyk.[24]] (*a*) [Expliciunt[25]] les usages, [e les franchises,[26]] de Gavelikende, e des Gavelikendeys en Kent, ƙ furēt devāt le cōq̄ste ([27]).

[1] dette *T. & MSS.* [2] les *T. & MSS.*
[3] dedeyns *T. & MSS.* [4] eyt *T.* aile *MSS.*
[5] court *T. & MSS.* [6] *T. & MSS.* omit.
[7] Neighe sithe yeld, Neighe sithe gelt, And yef you for ye were, Thā is he holder *T.*—Neghe sythe gelt, nyghe sythe yeld, and vif pound for ꝑe were, ꝑan his he heldere. *MS. Cott: Lib. Horn.*
[8] *L. T. & MSS.* omit these Sentences. But See *Itin. Kanc.* 21 *Edw.* I. *Rot.* 23; accord. [9] *T. & MSS.* omit.
[10] ses *MS. Cott: Lib. Horn.*
[11] ne soit mis a serement *T. & MSS.*
[12] *T. & MSS.* omit this Sentence. [13] a seigniour *T.*
[14] commun *T. & MSS.*
[15] pere le Rey Edward *T. & MSS.*—pere le Roy Edward, que ore est, que dieu Garde, *L.* [16] *T. & MSS.* omit.
[17] *T. & MSS.* omit. [18] ꝑ *T. & MSS.*
[19] del *T. & MSS.* [20] est *L.* fust *T. & MSS.*
[21] Norward *T.* de Norwode *L.* [22] Elphe *T. & MSS.*
[23] du reigne le Rey Edward xxi. *T.* The Manuscripts all end here. [24] *L.* omits,
[25] Ces sont *L.* [26] *L.* omits.
[27] e en le Conquest, e totes houres jeskes en ca *L.*

and pay his Arrerages, and make reasonable Amends for the withholding, then let him have and enjoy his Tenement, as his Ancestors and he before held it. And if he do not come before the Year and the Day past, then let the Lord go to the next County Court with the Witnesses of his own Court, and pronounce there this Process to have further witness. And by the Award of his Court, after that County Court holden, he shall enter, and manure in those Lands and Tenements, as in his own Demeans. And if the Tenant come afterward, and will re-have his Tenements, and hold them as he did before, let him make Agreement with the Lord, according as it is anciently said:

Neȝ ƀe ſyƀe ꝛelƀe, anƀ neȝ ƀe ſyƀ ȝelƀe: anƀ ꝛiꝛ ponƀ ꝓoꝛ ƀe peꝛe, eꝛ ƀe bicome healƀeꝛ. ([1])

Also they claim, that no Man ought to make an Oath upon a Book, neither by Distress, nor by the Power of the Lord nor his Bailiff, against his Will, without the Writ of the King, unless it be for Fealty to be done to his Lord, but only before the Coroner, or such other Minister of the King, as hath Royal Power to enquire of Trespass committed against the Crown of our Lord the King. And they claim also, that every Kentish Man may essoin another, either in the King's Court or in the County, or in the Hundred, or in the Court of his Lord, where Essoin lieth, and that as well in case of common Suit as of ([2]) Plea. Moreover they claim by an especial Deed of King Henry [the Third, Father of King Edward which now is, whom God save,[3]] that of the Tenements which are holden in Gavelkinde, there shall no Battail be joined, nor Grand Assise taken by Twelve Knights, as it is used in other Places of the Realm; this is to weet, where the Tenant and Demandant hold by Gavelkinde: But in place of these Grand Assises, let Juries be taken by Twelve Men, being Tenants in Gavelkinde, so that Four Tenants of Gavelkinde choose Twelve Tenants of Gavelkinde to be Jurors. And the Charter of the King of this Especialty [is in[4]] the Custody of Sir John of Norwood, the Day of S. Alphey, in Canterbury, the Year of King Edward, the Son of King Henry, the Twenty-first.

Oaths.

Essoins.

No Battail nor Grand Assise in Gavelkind Lands.

These be the Usages of Gavelkinde, and of Gavelkinde-Men in Kent, which were before the Conquest, and at the Conquest, and ever since till now.

[1] *That is, Let him nine Times pay, and nine Times repay the Arrears, and Five pounds for the detention of the Rent, before he shall have his Tenement again.*
[2] *common* [3] *Son of King John*
[4] *was delivered into*

(*a*) *Ex Rot. Claus.* 16 *Hen. III. m.* 14.

ꝑ quibȝdā hōibȝ de Com̄ Kanc̄.

Rex cōcessit ꝑ cartā suā, ꝑ se & hedibȝ suis, hoībȝ de Com̄ Kanc̄, qđ de tenemt̄is q̄ tenēt[r] in Gavelkinđ in eođ Com̄, de ceᵹo non teneant[r] magne Assise ꝑ xij Milites, sic̄ alibi capiunt[r] in regno nr̄o; Sȝ loco magnaȝ Assisaȝ illaȝ capiant[r] Jurate ꝑ xij hōies teñtes in Gavelikynđ, in forma & eisdē locis sc̄dm qđ Magne Assise p'us inde capiebant[r]; Ita qđ iiij[or] tenētes in Gavelikinde eligant xij tenētes in Gavelik̄ inde Juratores, sic̄ iiij[or] Milites eligᵹ ꝙsueverṫ xij Milites in Magna Assisa. Et si forte ǫtingat, qđ ꝑdc̄i xij Juratores ꝙvinci debeant, ꝙvincāt[r] ꝑ xxiiij[or] Milites de eođē Com̄, & infra eundē Com̄ corā Justic̄ nr̄is itiñantibȝ in adventu eoȝ. Et mand est Vic̄ Kanc̄ qđ ꝑdc̄ā Cartā in Com̄ suo legi & firmiṫ teñi faciat sc̄dm qđ Carta illa cōtinet. T. ut s[a]. [R. ap̄ Westm̄ xj die Febr̄.]

Ex Rot. Claus. 17 *Hen. III. m.* 17.

Gavilikindeis de Kanc̄.

Rex cōcessit ꝑbis hōibȝ de Com̄ Kanc̄ qđ loco magnaȝ Ass̄ q̄ capi cōsueverūt ꝑ xij Milites de teñ qđ tenet[r] ī Gavelikind & inṫ Gavelikindeis; de ceᵹo capiant[r] Jurate ꝑ xij hōies Gavelikindes sic̄ pleniꝰ cōtinet[r] ī Carta quā Rex eis inde f ī fēt. Et mand est Vic̄ Kanc̄, qđ ꝑdc̄am Cartā ī pleno Com̄ suo legi fac̄ & teñi. T. ut s[a]. [R. ap̄ Westm̄ vij die Nov.]

Prerogativa Regis.

Of the KING'S PREROGATIVE.*

Wardship of Heir of the King's Tenant in Chief.

OUR Lord the King shall have the Ward of all the Lands of such as hold of him in chief by Knight's Service, whereof the Tenants were seised in their Demesne as of Fee, at the Day of their Death, of whomsoever they hold else by like Service, so that they held [of ancient Time any Land of the Crown,[1]] until the Heir come to his lawful Age; except the Fees of the Archbishop of Canterbury, the Bishop of Durham between Tyne and Tees, and Fees of Earls and Barons ([2]) in the Marches, where the King's Writs do not lie; and whereof the said Archbishops, Bishops, Earls, and Barons ought to have such Wards, though they held of the King in some other place.

Marriage of Heir of the King's Tenant.

Also the King shall have Marriage of an Heir being within Age and in his Ward, whether the Land of such Heir have appertained to the Crown of antient continuance, or that it came by reason of Escheat being in the King's Hands, or that he had the Marriage by reason of the Ward ([3]) of the Lords of such Heirs, without any respect to the Priority of Feoffment, albeit they held of others.

Primer Seisin of Land of the King's Tenant.

Also the King shall have Primer Seisin, after the Death of such as held of him in Chief, of all Lands and Tenements whereof they were seised in their Demesne as of Fee, of what Age that their Heirs be; taking the Issues of the same Lands and Tenements, until Inquisition be made as the Manner is, and until he hath taken Homage of such Heir.

Assignment of Dower to Widows of King's Tenants.

Of their Marriage.

Also he shall assign to Widows after the Death of their Husbands, that held of him in Chief, the Dower that to them belongeth, [&c.] though the Heir be of full Age, if the Widows will: And such Widows, before Assignment of their Dower, shall swear that they shall not marry themselves without the King's Licence, whether the Heirs be of full Age or not. And if they marry without ([4]) Licence, then the King shall take into his Hands by way of Distress all such Lands and Tenements as they hold of him in Dower, until he be satisfied at his own Will, so that [she[5]] shall take nothing of the Issues, &c. for by such Distresses they and their Husbands must fine at his Will: And his Will in the Time of King Henry, Father of King Edward, was esteemed to the one Year's Value of her Dower, unless they had the greater Favour.

Marriage of Heiresses.

Women that hold of the King in Chief any Inheritance, of whatsoever Age they be, shall swear likewise that they shall not marry themselves without the King's Licence; and if they do, their Lands and Tenements shall be taken in like Manner into the King's Hands, until they have satisfied at the King's Will.

Homage for Lands, holden of the King, descending to Coparceners.

And if one Inheritance that is holden of the King in Chief, descend to many Parceners, then all the Heirs shall do Homage to the King; and the same Inheritance so holden of the King shall be divided amongst those Heirs; so that every of them after shall hold their part of the King.

Wardship of Women married under Age.

If a Woman, before the Death of her Ancestor that held of the King in chief, be married before she be marriageable, then the King shall have the Ward of the Body of the same Woman until she be of Age able to consent; and then she may chuse whether she will have him to whom she was first married, or him that the King will offer her.

[1] *of the King, any Tenement of old holden of the Crown,*

[2] *of the Marches* [3] *of the Lands*

[4] *the King's* [5] *neither the King, nor the Woman*

Ex MS. Cott. Claud. D. II. fo. 222, b.

j. De progatiua Reg.

DOMINUS Rex habebit custodiam oim̃ terr̃ eorum qui de ipo tenent in capite p serviciū militare, de quibꝫ ipi tenentes fuerunt seisiti, in dñico suo ut de feodo die quo obierunt de quocumq; tenurūt p huiꝰ servicii, dum tamen ipi tenuerunt de Rege aliq̃d ten̄ ab antiquo de corona, usq; ad legitimam etatem hedum; exceptis feodis Archiepi Cant̃, Epi Dunolm̃ inꝰ Tyne et These, & feodis Com̃ & Baronum de marchia, in marchia ubi br̃ia Regis non c'runt, et unde dicti Archiepus, Epus, Comites, et Barones, hent hujusmodi custodias, licet alibi tenuerunt de Rege.

ij. ¶ Rex het maritagiū hedū, infra etatem & in custodia sua existenciū, sive tre heredum predictoꝝ sint ab antiquo de corona, sive de escaetis que sunt in manu dñi Regis, sive huerit maritagiū rone custodie terr̃ dñoꝝ eoꝝdem hedum, nullo hito respectu quoad prioritatem feoffamenti, licet de aliis tenuerint.

iij. ¶ [Item hent '] p'mam seisinam, post mortem eorum qui de eo tenent in capite, de om̃ibꝫ tris & ten de quibꝫ ipi fuerint seisiti in dñico suo ut de feodo, cujuscumq; etatis hedes ipoꝝ fuerint, capiendo omnes exitus eoꝝdem terr̃ & ten̄, donec facta fuerit inquisicio, put moris est, & cepit homagiū huꝰi hedis.

iiij. ¶ Item assignabit viduis post mortē viroꝝ suoꝝ, qui de eo tenent in capite, dotem suam que eas contingit, licet hedes fuerint plene etatis, si vidue voluerint; & vidue ille ante dictam assignacoem dotis, [sue [4]] dicti hedes fuerint plene etatis vel infra etatem, jurabunt qd non maritabunt se sine licencia Regis, ([3]) tunc Rex capiet in manū suam [districciones loco &[4]] omnes terras & ten̄ que de eo tenent in dotem donec satisfecint ad voluntatē Regis; [[5] Ita qd, [Rex vel ipa mulier nichil[6]] capiat de exitibꝫ, &c. [quousq;[7]] hujusmodi mulieres, p hujusmodi districciones, seu viri eaꝝ finem faciant Regi ad voluntatem Regis;[8]] & illa volūtas tempore R H. pris R E. estimari consuevit ad valenciam dicte dotis p unū annū ad plus, nisi ubiorem gram huerint: mulieres eciam que de Rege tenent in

v. capite hereditatem aliquam, jurabunt similit, cujuscumq; fuerint etatis, qd non maritabunt se sine licencia Regis; & si fecint, tre & ten̄ ipaꝝ eodem modo capiant' in manū dñi Regis quousq; satisfecint ad voluntatem dñi Regis: si una hereditas, que tenet' de Rege in capite, descendat

vj. participibꝫ, tunc omnes illi hedes faciunt homagiū Regi, & illa hereditas que tenet' de Rege participabit' inꝰ hedes illos.

vij. ¶ [[9] Ita qd [quilibet eorum [10]] extunc partem suam tenebit ex Rege:[11]] ([12]) si mulier ante mortē antecessoris sui, qui de Rege tenet in capite, ante annos nubiles maritata fuerit, tunc Rex habebit custodiam corporis ipius mulieris, usq; ad etatē qd consentire possit; & tunc eligat ipa utrum maluerit habere in virum illum cui primo maritata fuerit, vel aliū quem R ei optulerit.

[1] Im̃ habebit *MS. Cott.* Rex habeat *MS. Harl.*

[2] sive *MS. Cott.*

[3] Et si se maritavint sine licēcia Reg̃, *MS. Harl.* Et si fecint, *MS. Cott:*

[4] nōie districcoīs *MS. Harl.*—loco districcoīs *MS. Cott.*

[5]—[8] *MS. Harl.* omits.

[6] { nec Rex, nec mulier illa, aliquid *MS. Cott.*
{ ipsa mulier nihil *Printed Copies.*

[7] sꝫ qd *MS. Cott:* quia *Printed Copies.*

[9]—[11] { In *MS. Cott; MS. Harl.* and the Old Printed Copies this Sentence is given as part of the preceding Chapter.

[10] quelibet eaꝝ *MS. Cott.* [12] Item *MS. Cott.*

* This is inserted in all the Printed Copies as a Statute of 17 Edw. II: The Copy from *MS. Cott. Claud. D. II.* was printed by Cay; the Various Readings marked *MS. Cott.* and *MS. Harl.* are from a Cotton Manuscript, Appendix XVI, *fo.* 85. and a Harleian MS. No. 947.

vilj. ¶ Nĩ qui tenet de Rege in capite, p ꝟviciū militare, pot̃it alienare majorem ꝑtem ꝟr̃ suaꝝ, ita qđ residuū non sufficiat ad faciend̃ inde ꝟviciū, sine licencia Regis; set hoc non consuevit intelligi de membris & ꝑticlis ꝟr̃ eaꝝdem. ix. ¶ De ꝟjantiis alienatis sine licencia Regis consuevit Rex arentare hu̇i ꝟjantias p rõnabilem extentam inde faciend̃. x. ¶ De eccl̃iis vacantibꝫ, quaꝝ advocaciones spectant ad Regem, & alii ꝑsentaꝟint ad easdem, ita qđ contencio int̃ dñm Regem & alios oriat': Si Rex p consideracõem (1) ꝑsentacõem suam recupaꝟit, licet post lapsum temporis sex mensium a tempore vacacionis, nullū c'rit ei tempus, dum tamen Rex ꝑsentaꝟit infra [ꝑdčm [2]] tempus sex mensiū. xj. ¶ Rex ħet custodiam ꝟr̃ꝝ fatuoꝝ nat'aliū, capiendo exitus eaꝝdem sine vasto & destruccione, & inveniet eis necessaria sua, de cujuscumq; feodo ꝟre ille fuerint, & post mortem eorum reddat eas rectis ħedibꝫ, ita qđ nullaten̄ p eosdem fatuos alienent' vel eorum ħedes exħedent'. xij. ¶ Item habet providere q'ndo aliquis qui prius ħuit memoriam & intellectum, non fuerit compos mentis sue, sicut quidam sunt p lucida int̃valla; qđ ꝟre & teñ eoꝝdē salvo custodiant', sine vasto & destruccione, & qđ ip̃e & familia sua de exitibꝫ eaꝝdem vivant & sustineant' competen̄, & residuum ultra sustentacionem eorumdem rõnabilem custodiat' ad opus ip̃oꝝ, liꝺand eis quando memoriam recupaverint; Ita qđ ꝑdicte ꝟre & teñ, infra ꝑdčm tempus, non alienent'; Nec Rex de exitibꝫ aliq'd ꝓcipiat ad opus suū, & si obierit tali statu, tunc illud residuum distribuat' p anima ejusdem, p consiliū ordinarioꝝ. xiij. ¶ Item habet Warectum maris p totum regnū, Wallenas et sturgiones captos in mari vel alibi infra regnū, exceptis quibusdam locis privilegiatis p Reges. xiiij. ¶ Item ħet escaetas de ꝟr̃ Normannoꝝ, de cujuscumq; feodo fuerint, salvo ꝟvicio quod ꝓtinet ad capitales dños feodi illius; & hoc simili̇ intelligendum est si aliqua ħeditas descendat alicui nato in partibꝫ t'nsmar̃, [3 cujus antecessores fuerint ad fidem Regis Franč [ut 4] tempe Regis Joħis, & non ad fidem Regis Angł,5] sicut contingit de Baronia Monemuth post mortem Joħis de Monemuta cujus ħedes fu̇nt [in 6] Britannia & alibi de feodis alioꝝ recupavit Rex Henr̃ plures escaetas de ꝟris Normannoꝝ occõne ꝑdicta & eas contulit tenend̃ de capitalibꝫ dñis, p ꝟvicia inde debita & consueta. xv. ¶ Quando aliquis qui tenet de Rege in capite in fata decedit, & heres ejus ingrediat' teñ, quod antecessor ejus tenuit de Rege die quo obiit, anteq'm (7) homagium Regi, & seisinam suam recepit p Regem, tunc nullū ei accrescit liꝺum teñ; & si obierit seisitus p idem tempus ux̃ ejus non ħebit dotem de teñ illo; sicut contingit de Matiłł fił Com̃ Hereford, ux̃e Anselmi [Marescalli 8] qui post mortem Wiłłi [Com̃ 9] Marescalli Angł, fr̃is sui, cepit seĩam Castri & manꝺii de Strogiłł & obiit in eodem Castro anteq'm intrasset p Regem, & fecisset ei homagiū, & unde consideratum fuit qđ ip̃a non haberet dotem, eo qđ vir ejus non intravit p Regem, ĩmo p intrusionem; set hoc non intelligit' de [escaetis 10] & xvj. ꝑvis tenuris. ¶ Itm habet escaetas de ꝟris liꝺe tenencium Archiep̃oꝝ, Ep̃oꝝ, q'ndo ip̃i tenentes dampnati sunt, p felonia facta tempore vacacionis, dum temporalia eoꝝdē fuerunt in manu dñi Regis, conferend̃ cui voluerit imꝑpm̃, salvo ꝟvicio quod ad Prelatos inde ꝓtinet.

[1] Cur̃ *MS. Cott: MS. Harl.*
[2] *MS. Harl.* & *Printed Copies* omit.
[3]—[5] qui nō fuerit ad fidem Regis *MS. Cott.*
[4] de *MS. Harl.* [6] de *MS. Harl.*
[7] fecerit *Printed Copies.* [8] Senescałł *MS. Cott.*
[9] Interlined—*MSS. Cott. & Harl. and Printed Copies* omit.
[10] socagio *MS. Harl: Printed Copies.*—socagiis *MS. Cott.*

None that holdeth of the King in chief by Knight's Service, may alien the more part of his Lands, so that the Residue thereof be not sufficient to do his Service, except he have the King's Licence; but this may not be understood of Members and Parcels of such Lands. *Alienation of Lands holden in Chief.*

Of Serjeanties aliened without the King's Licence, the King hath used to rate such Serjeanties at a reasonable Extent thereof to be made. *Alienation of Serjeanties.*

Of Churches being vacant, the Advowsons whereof belong to the King, and other present to the same, whereupon debate ariseth between the King and other: If the King by Award of the Court do recover his Presentation, though it be after the lapse of Six Months from the Time of the Avoidance, no Time shall prejudice him, so that he present within the Space of Six Months. *The King's Presentation to vacant Churches.*

The King shall have the Custody of the Lands of natural Fools, taking the Profits of them without Waste or Destruction, and shall find them their Necessaries, of whose Fee soever the Lands be holden; and after the Death of such Idiots he shall render [it '] to the right Heirs, so that such Idiots shall not aliene, nor their Heirs shall be disinherited. *The Custody of Lands of Idiots.*

Also the King shall provide, when any, that beforetime hath had his Wit and Memory happen to fail of his Wit, as there are many [per lucida intervalla,2] that their Lands and Tenements shall be safely kept without Waste and Destruction, and that they and their Houshold shall live and be maintained competently with the Profits of the same, and the Residue besides their Sustentation shall be kept to their Use, to be delivered unto them when they come to right Mind; so that such Lands and Tenements shall in no wise (3) be aliened; and the King shall take nothing (4) to his own Use. And if the Party die in such Estate, then the Residue shall be distributed for his Soul by the Advice of the Ordinary. *Of Lands of Lunaticks.*

Also the King shall have Wreck of the Sea throughout the Realm, Whales and [great Sturgeons 5] taken in the Sea or elsewhere within the Realm, except in certain Places privileged by the King. *Wreck of the Sea, Whales and Sturgeons.*

Also the King shall have Escheats of the Lands of Normans, to whose Fee soever they belong, saving the Service appertaining to the chief Lords of the same Fee; And this also is to be understood where any Inheritance descendeth to any that is born in the Parts beyond the Sea, whose Ancestors were from the Time of King John under the Allegiance of the Kings of France, and not of the Kings of England, as late it happened by the Barony of Monmouth, after the Death of John de Monmouth, whose Heirs were of Britain, and (6) other Places, King Henry by the foresaid Occasion recovered many Escheats of Normans Lands out of the Fees of other Men, and gave them to be holden of the chief Lords of the Fee, by Services due and accustomed thereunto. *Escheats of Lands descended to Aliens.*

When any that holdeth of the King in chief dieth, and his Heir entereth into the Land that his Ancestor held of the King the day that he died, before that he hath done Homage to the King, and received Seisin of the King, he shall gain no Freehold thereby; and if he die seised during that Time, his Wife shall not be endowed of the same Land; as it came in use by Maud, daughter to the Earl of Hereford, Wife to [Maunsel 7] the Marshal, which after the Death of William Earl Marshal of England his Brother, took his Seisin of the Castle and Manor of Scrogoil, and died in the same Castle, before he had entered by the King, and before he had done Homage to him; whereupon it was agreed that his Wife should not be endowed, because that her Husband had not entered by the King, but rather by Intrusion: howbeit [the Statute doth not mean 8] of Socage and other small Tenures. *Intrusion of the King's Tenant before Homage.*

Also the King shall have Escheats of Lands of the Freeholders of Archbishops and Bishops, when such Tenants be attainted for Felony (9) in time of Vacation, while their Temporalties were in the King's Hands, to give at his Pleasure, [saving to such Prelates the Service that thereto is due and accustomed.10] *Escheats of Felons during the Vacancy of Bishopricks.*

[1] *the same* [2] *with lucid Intervals* [3] *within the aforesaid time*
[4] *of the Profits* [5] Sturgeons
[6] *in* [7] Anselm
[8] *this is not to be understood* [9] *done*
[10] *for ever; Saving the Service which is therefore due to the Prelates.*

Construction of Grants of Lands by the King.

When our Lord the King giveth or granteth Land or a Manor with the Appurtenances, without he make express mention in his Deed or Writing of Knight's Fees, Advowsons of Churches, and Dowers when they fall, belonging to such Manor or Land, then at this Day the King reserveth to himself such Fees, Advowsons, and Dowers, albeit that among other Persons it hath been observed otherwise.

The Lands and Goods of Felons attainted.

Also the King shall have the Goods of all Felons attainted, and Fugitives wheresoever they be found. And if they have Freehold, then it shall be forthwith taken into the King's Hands, and the King shall have all Profits of the same by one Year and one Day, and the Land shall be wasted and destroyed in the Houses, Woods, and Gardens, and in all manner of Things belonging to the same Land, excepting Men of certain Places privileged by the King therefore. And after our Lord the King hath had the Year, Day, and Waste, then the Land shall be restored to the chief Lord of the same Fee, unless that he fine before with the King for the Year, the Day, and the Waste. Nevertheless it is used in the County of Gloucester by Custom, that after one Year and one Day, the Lands and Tenements of Felons shall revert and be restored to the next Heir, to whom [it [1]] ought to have descended if the Felony had not been done. And in Kent, in Gavelkind, "The Father to the Bough, the Son to the Plough," (2) there all Heirs Male shall divide their Inheritance, and likewise Women; but Women shall not make Partition with Men. And a Woman after the Death of her Husband shall be endowed of the Moiety; and if she commit Fornication in her Widowhood, or take an Husband after, she shall lose her (3) Dower.

Customs of Gloucester and Kent.

[1] *they* [2] *and* [3] *whole*

¶ Quando Dñs Rex dat vel concedit aliquod manium vel ꝑam cum ptiñ, nisi faciat in carta sua vel sc'pto exꝑssam mencionem de feodis militum, advocacõibꝫ ecclíaꝝ, & dotibꝫ, cum acciderint, ad ꝑdicta manium vel ꝑam ptinentibꝫ, tunc hiis diebus Rex reservat sibi eadem feoda, advocaciones, cum dotibꝫ; licet inꝑ alias ꝑsonas alit̃ fuerit obꝵvatum. xvij.

¶ Item Rex (1) oñia catalla dampnatoꝝ felonum & fugitivoꝝ, ubicumq; inventa fuerint, & (2) ipi ñeant libum teñ, tunc illud statim capiat' in manū Regis, & Rex ñebit oñes exit̃ ejusdem ꝑ unum annū et unum diem, & teñ illud vastabit' & destruet', de domibꝫ & gardinis, boscis & aliis quibuscūq; ad ꝑdcm teñ ptiñ, exceptis hõibꝫ quoꝝdam privilegiatoꝝ inde ꝑ Regem; & postq'm Rex ñuerit annū & diem & vastū, tunc reddat' teñ illud Capitalibꝫ dñis feodi illius, nisi prius faciat finem ꝑ anno die & vasto. xviij.

¶ De consuetudine tamen dicit' qd, post annū & diem, ꝑre & teñ felonū (3) Glouceſtr̃ reddunt' & reꝑtent' ꝓximo heredi, cui debuerant descendisse si facta non fuisset felonia; & in Kanc̃ in Gavelkynde, the fader to the bough and the sone to the plough, & ibidem omnes ñedes masculi [ꝓcipiant [4]] ñeditatem; similit̃ omnes femine, set femine [pticipiant [5]] cum masculis. Et mulier post mortem viri sui habet medietatem pro dote sua, et si fornicetur in viduitate ꝑdit totum vel si (6) desponsata viro.

[1] ñeat *MS. Harl.* [2] si *MSS. Cott. & Harl.*
[3] in *MSS. Cott. & Harl.*
[4] ꝓticipant *MS. Cott.*—pticipent *MS. Harl.*
[5] nō pticipant *MSS. Cott. & Harl.*
[6] sit *MSS. Cott. & Harl.*

Modus faciendi homagium & fidelitatem.*

The Manner of doing Homage and Fealty.

Ex MS. Cott. Claudius D. II. fo. 238.

Homage of a Freeman to his Chief Lord.

WHEN a Freeman shall do Homage to his Lord of whom he holdeth in Chief, he shall hold his Hands together between the Hands of his Lord, and shall say thus; "I become your Man from this Day forth, for Life, for Member, and for Worldly Honour, and shall [owe [1]] you Faith for the Lands that I (2) hold of you; Saving the Faith that I owe unto our Lord the King, and to [mine other Lords.[3]]"

Homage of a Freeman to a Mesne Lord.

And when a Freeman shall do Homage to any other than to his Chief Lord, and for a simple Tenement, he shall hold his Hands together between the Hands of his Lord, and shall say thus: "I become your Man from this Day forth, and shall bear you Faith for the Tenement which I claim to hold of you; saving the Faith that I owe to our Lord the King, and to my other Lords."

Fealty of a Freeman.

When a Freeman shall do Fealty to his Lord, he shall hold his Right Hand [upon a [4]] Book, and shall say thus "Hear you my Lord R. that I, P. shall be to you both faithful and true, and shall [owe my Fidelity unto you,[5]] for the Land that I hold of you, (6) and lawfully shall do such Customs and Services, as my Duty is to you, at the Times assigned. So help me God, and all his Saints.

[1] *bear* [2] *claim to*
[3] *hit Heirs; and lawfully will do you the Services due and accustomed. So help me God and the Saints.*
[4] over the [5] *bear you Faith*
[6] *and lawfully will acknowledge you,*

QUANT fraunk hõme fra hõmage a son ſr de qi il tient [son chief meš [1]] il tendra ses mains jointes ꝑntre les mains son ſr & dirra issint. Jeo deveigne vr̃e hõme de ceo jour en avⁿt, de vie & de membre & de ꝑren honor', & foi vous porteroi del tenement qe jeo [clayme tenir [2]] de vous; sauve le foi q̃ jeo doi a nr̃e Seignr le Roi (3).

[4 Et qⁿt fraunk hõme fra hõmage a autre q̃ a son chief Seign' & p' simple tenement, il tendra ses mains jointes ꝑntre les mains son ſr & dirra issint. Jeo devieigne vr̃e hõme de ceo jor en avant & foi vous porteroie del tenement q̃ jeo clayme tenir de vous; sauve le foi q̃ jeo doy a nr̃e ſr le Roi & a mes autꝛs Seignr'ages.4]

Qⁿt fraunk hõme fra feaute (5) il tendra sa main (6) outre le livre & dirra issint; Ceo oiez vous mon ſ R. qe jeo J. vous ꝛoie foial & loial, & foy vous portoy des teñz q̃ jeo [clayme [7]] de vous [& loialment vous conusteroi [8]] & loialment vous ferroie les custumes & les ꝛvices qe faire (9) doie as ꝑmes assignez; si moy eide Dieux & les Seintz.

[1] en chieff *Printed Copies.* [2] teng̃ *MS. Harl.*
[3] & a mes autres seigñrs *Printed Copies.*—e ces heirs; e leaument vous fray les ꝛvices dues & accustumez; si dieu me aide & les seinz. *MS. Harl.* 395.
[4] *Printed Copies* omit this Paragraph: *MSS. Harl.* 395, 947 insert. [5] a son seignur *MS. Harl.* 947.
[6] dextre *Printed Copies.*—destr̃ *MS. Harl.* 947.
[7] teigñ *Printed Copies.*—claime tener *MS. Harl.* 395.
[8] *Printed Copies & MS. Harl.* omit.
[9] vous *MS. Harl.* 395.

* This is inserted in all the Printed Copies as a Statute of 17 Edw. II. The Copy from *MS. Cott. Claudius D. II.* was first printed in Cay's Edition. The Various Readings are from *MSS. Harl.* 395, *fo.* 91; 867, *fo.* 52, *b*; 947, *fo.* 69.

Quant villein fra feaute a son ſ' il tendra sa main destre outre le liver, & dirra issint; Ceo oiez vous mon Seign' R. q̃ je W. (1) vous ſroie foial, loial, & foi vouz porſoi, del tenement q̃ jeo de vous tien en villenage, & q̃ jeo vous ſroie justiciable du corps & de chateux. (2) Si moy eide Dieux & les Seintz.

[1] de ceo jour en avant *MS. Harl.* 395.
[2] & q̃ jeo de vous mal ne dam̃ ne veray q̃ jeo ne vo⁹ defendray & vous garneray a mon pouer. *MS. Harl.* 867.

When a Villein shall do Fealty unto his Lord, he shall hold his Right Hand over the Book, and shall say thus, "Hear you my Lord A. that I, B. from this Day forth unto you shall be true and faithful, and shall [owe you Fealty [1]] for the Land that I hold of you in Villenage; and shall be justified by you in Body and Goods. (2) So help me God and all his Saints." Fealty of a Villein.

[1] *bear you faith*
[2] *and that no Evil or Damage will I see concerning you, but I will defend and warn you to my power.*

Statut' de Ward' & Releviis.*

STATUTE CONCERNING WARDS AND RELIEFS.

Ex MS. Harl. 867. *fo.* 51, *b.*

VOUS devetz saſ q̃ lou releef ſra done q̃ illeuq̃ append gard, & e 9°; & ceux qi tenent en ſjantie de aler ove le Roy en son ost qilleuq̃ append gard & releef; mes ceux q̃ tenent en petit ſjantie come de porſ escu ou launce en le ost le Roi ou de porſ ou de carier la ne seit gard [ne relief.'] Le f'nc Sokeman ne durra gard ne releef, mes ils doubleront lour rente aſs la mort lo' aunc̃ solom q̃ils p'ront paier lo' Seign', & ils ne soient outre mesure grevez. Mes oiez ore la nat'e del gard avoir; (2) la une est lou teñ est tenu p ſvic̃ de chr̃, lautre est lou un hõme tient de un autre ſres ou teñ en Sokage; la gard de la ſre q̃ est tenu p ſvic̃ de chr̃ apent au chief ſ' e le mariage; e deit issi estre marie [q̃ ele [3]] ne soit despage com la g'nd ch're voet, et si est le age de celluy heir de xxi an; la garde del heir q̃ [- - - - [4]] en socage si la ſre ou [le mariage [5]] [- - - - [6]] de par sa mere donq̃ apent a plus pschein pent de pt son pe (7). [En mañes [8]] poet hõme porſ br̃ de gard aver, la une est q'nt hõme dde gard de la ſre & del heir, & ceo est le cas qant un hõme tient un maner dun autre de fee de haubek el tenant se lost morir, donc poet le chief ſ' sil soit deforce dder la gard [del heir celluy de qi il avera la gard [9]] & le mariage. Lautre est qant un homme est feffe dune vge de ſre (10) & (11) dun autre dune car̃ de ſre, le second ſ' ne poet my porter br̃ de gard aſ de la ſre [& [12]] del heir, qar la garde appent a celluy de qi il fust p'mes feffe: La ſce est la ou il ad la ſre en sa mayn [en nõn de gard & il est muler, [13]] donq̃ p'ra il porſ br̃ a demander le heir sanz la ſre &c.

[1] ne mariage *Printed Copies: MS. Harl.* 947.
[2] Deux maners des brefs sount de garde avoir. *MS. Harl.* 947: *Lib. Horn.*
[3] qil *MS. Harl: Lib. Horn.*
[4] *An Erasure and a Blank.*—tient *MS. Harl: Lib. Horn.*
[5] le heritage *Lib. Horn: Printed Copies.*
[6] *An Erasure and a Blank.*—descent *Lib. Horn: MS. Harl.*
[7] & e converso *Printed Copies.*—E si le teñ descent de pt le piere donq̃ apent a plus pchein amy de pt sa mere. *Lib. Horn.*
[8] En iij mañes *Lib. Horn.*
[9] *Lib. Horn.* omits these words. de la terr̃ & del heir celuy, & aſa la gard *MS. Harl.* 947.
[10] dun home, *MS. Harl.* 947.
[11] puis *MS. Harl.* 947. [12] ne *MS. Harl.* 947.
[13] en nosme de gard & il nad my le heir, *Printed Copies.* & nemie de la garde, sil est heir mulier, *Lib. Horn.* en noun de garde, & il y ad hr̃ mulier, *MS. Harl.* 947.

IT is to wit, that where any Relief is given, there Wardship is incident, and contrariwise; And such as hold by Serjeanty to go with the King in his Host, there Ward and Relief are incident; And such as hold by Petty Serjeanty, as to bear Shield or Spear in the King's Host, or to bear or to carry, there is neither Ward, Marriage, or Relief; Also a free Sokeman shall not give Ward nor Relief, but he shall double his Rent after the Death of his Ancestor, according as he hath used to pay to his Lord, and shall not be unmeasurably grieved. Now somewhat is to be said of the Nature of having Wards; There be Two Manner of Writs to have Wards; one is where Lands be holden in Knight's Service, the other is where Lands be holden in Socage; The Ward of Land that is holden in Knights Service belongeth to the Chief Lord, and the Marriage, which ought to be without Disparagement as the Great Charter limiteth, [until he cometh to the Age of [1]] One and twenty Years: The Ward of an Heir that holdeth in Socage; if the Land or Inheritance descend of his Mother's Side, then it belongeth to the next Friend on the Father's Side; and contrariwise: And a Writ to recover Ward may be brought in Three Manners; One is when a Man demandeth Ward of the Land, and of the Heir, and that is in case when a Man holdeth Land of another by Knights Service, and the Tenant dieth, then may the Chief Lord, if he be deforced, demand the Ward of his Land and Heir, and shall have both Ward and Marriage. Another Manner is when a Man is infeoffed of a Verge of Land by one Man, and (2) by another of a Carve of Land, the Second Lord may not bring a Writ of Ward to recover either the Land or the Heir, for the Ward belongeth to him of whom he was first infeoffed. The Third Manner is where a Man hath Land in his Hands by Reason of Ward, and [hath not the Heir,[3]] then he may bring a Writ to demand the Heir, and not the Land.

Relief and Wardship co-relative.
Serjeanty.
Sokemen.
Writs of Ward;
in case of Knight's Service.
Socage
to demand the Land and Heir;
Where there are Two Lords;
to demand the Heir only.

[1] *and the full age of the Heir is*
[2] *then*
[3] *there is a lawful Heir*

* This is inserted in the Printed Copies as of 28 Edw. I. The Copy printed in Cay's Edition from *MS. Cott Claud. D. II.* [fo. 232,] is incorrect and imperfect. The Various Readings in the Notes, above are from *Lib. Horn. Lond. fo.* 250; and *MS. Harl.* 947, *fo.* 69, *b.*

Statutū de respectu Milit' h'endo.

STATUTE FOR RESPITING OF KNIGHTHOOD.*

Respite of Knighthood to Persons distrained

OUR Lord the King hath granted, That all such as ought to be Knights, and be not, and have been distrained to take upon them the Order of a Knight, within the Feast of the Nativity of our Lord, shall have respite to take the aforesaid Arms of a Knight, until the Utas of St. Hillary without [Occasion,[1]] and after that, that they shall be distrained; [except they make some other Mean.[2]]

Persons having less than 20l. per annum;

Also he hath granted, that if any will complain in the Chancery, because he was distrained, &c. and hath not Twenty Pound yearly in Fee, or for Term of Life, and will prove that by the Country, then it shall be written unto [the more[3]] discreet and sage Knights of the Shire to take the said Inquisition; and if it be tried so by the same Inquest, he shall have Remedy, and the Distress shall cease.

Persons impleaded for their Land;

Also if any be impleaded for all his Land, or for Part of the same, so that the Residue be not sufficient to the Value of Twenty Pound, and can prove the same, then the Distress shall cease until the same Plea be determined.

The King's Debtors;

Also if any of them be bounden (4) in certain Debts stalled in the Exchequer, at a certain Sum to be received yearly out of his Lands, so that the Residue of his Lands doth not amount to the yearly Value of Twenty Pounds besides the same Sum, the Distress shall cease, until the foresaid Debt be clearly paid.

Infants;

And none shall be distrained to take upon him the Order of a Knight, before that he come unto the Age of One and twenty Years.

Tenants in ancient Demean;

Also none by Reason of any Land that he holdeth in Manors, which now are ancient Demean of the Crown as Sokeman, and [which Lands must also give[5]] Tallage when the King's Demeans are tallied, shall be distrained to take upon him the Order of a Knight.

Socage Tenants;

Also of them that hold their Land in Socage, of other Manors than of the (6) Manors of the Crown, doing no Foreign Service, the Rolls of the Chancery shall be searched for the Times of the King's Predecessors, and it shall be done as it hath been used to be done.

Clergy;

In like Manner shall be done of Clerks being within Holy Orders, holding Lay-fee, which should be Knights if they were Lay.

Burgage Tenants

Also none shall be distrained for his Burgage Lands, although they do amount to the Value of Twenty Pound yearly, or more.

Aged and Infirm Persons, &c.

And they that ought to be Knights, and be not, which have holden their Lands in their Hands but a small Time; and likewise such as should be Knights, that do pretend great Age, or Default of their Members, or any other incurable Disease, or Charge of [their Children, or of Suits,[7]] or do alledge [such necessary Excuses,[8]] they shall resort unto Robert Tiptoft, and Anthony de Beck, and shall make Fine before them; to whom it is enjoyned, that according to their Discretions they shall admit the reasonable Fines of all such Persons.

[1] disturbance, [2] *unless in the mean time, &c.*
[3] *two* [4] *to our Lord the King*
[5] *for which Land he oweth* [6] *demesne* [7] *many Children*
[8] *other matters, hurtful to them, in excuse,*

Ex Lib. Horn, fo. 76.

REX concessit qđ oīes illi qui milites esse debnt & non sunt, & districti fuerunt ad arma Militaria suscipienda, infra natale dñi habeant respectum ad predča arma suscipienda usq; in Octab Sči Hillar sine occasione & extunc distringant' (1).

Item concessit qđ si aliquis questus fuerit in Cancellaria qđ districti fuerunt &c. & non habent [viginti[2]] libratas ꝑre in feodo, [nisi[3]] ad ꝑminū vite sue, & hoc velit verificare per patriam, tunc scribat' duob; discretis & fidelib; Militib; de Coīn ad predčam Inquisicionem capiendam, et si per ꝑdčam Inquisicōm ita fuisse constiꝑit fiat ei Remediū, & cesset dist'ccio.

Item si aliquis inplacitatus fuit de tota ꝑra sua, vel eciam de parte ejusdem, ita qđ Residuū non sufficiat ad valenciam [viginti[2]] lib' ꝑre, & hoc possit ꝑificare, tunc cesset districcio donec pītm illud ꝑminetur.

Item si aliquis eoꝝ teneatur dño Regi in certis debitis [et terminatis[4]] ad sc'cm, ad certam firmam inde p annū ꝓcipiendam, & Residuū terraꝝ suaꝝ ultra predictam summam valorem [viginti[2]] lib' annuatim non attingat, cesset districcio donec predčm debitū fuerit solutum.

Item nullus distringatur ad arma militaria suscipienda añq'm ꝓvenit ad etatem viginti & uni⁹ anni.

Item nullus racione ꝑre sue q'm tenet in Maneriis que nūc sunt in antiquo dñico Corone, & tanq'm Sokemannus, et pro qua ꝑra debet Tallagiū qū dñca ten talliantur, distringatur ad arma Militaria suscipienda.

Item de illis qui ꝑras suas tenent in Sokagio de aliis Maneriis q'm de dñicis Maneriis Corone, nullū facientibus forinsecum serviciū, scrutent' Rotuli de Cancellaria de tempore ꝑdecessoꝝ Reg̃, & fiat sečdm qđ fieri consuerit.

Eodem modo fiat de Clicis infra sacros Ordines existentibus laicum feodum tenentibus, qui Milites esse debent si laici fuissent.

Item nullus distringatur pro Burgagiis suis, licet valorem [viginti[2]] lib' annuatim attingat (5).

Item qui Milites esse debent & non sunt qui p [multū[6]] tempus terras suas tenuerunt, & similit' qui nimiam senectutem vel defectum membroꝝ sive morbū incurabilem vel honus libroꝝ [pluriū[7]] allegant, vel alias certas causas [nocivas[8]] pretendunt; adeant ad Robtm̃ de Typetot & Antoniū de Bek, & coram eis finem faciant quibus injūctum est qđ secđm discrecionem̃ eoꝝ racionibiles fines admittant (9).

[1] nisi interim &c. *MS. Cott.*—nisi interveniant *Printed Copies.*
[2] quadraginta *MS. Cott.*—xx. *Printed Copies.*
[3] vel *MS. Cott. & Printed Copies.*
[4] atterminatis *Printed Copies.*
[5] aut plus *Printed Copies.*
[6] modicum *MS. Cott: Printed Copies.*
[7] plioꝝ vel plurium *MS. Cott.*—vel placitorum *Printed Copies.*
[8] votivas *MS. Cott.*—necessarias *Printed Copies.*
[9] de viris predictis *Printed Copies.*

* This is inserted under the Title of 'Statutum de Militibus 1 Edw. II.' in all Printed Copies of the Statutes. A Copy was given by Cay from *MS. Cott. Cl. D. II.* [*fo.* 242.]

De Catallis Felonum.

Of the CHATTELS of FELONS.*

Ex MS. Cott. Vespas. B. VII. fo. 75, b.

REX Vic̃ & Om̃ibꝫ aliis fideł suis sałtm. Sciatis qđ ꝑvis̃ est in Cur̃ nr̃a, corā Justic̃ ñ, qđ de ceꝛo nullꝰ captus ꝑ morte hõis, vł ꝑ alia felonia ꝑ qua deƀt imp'sonari, disseisiet' de ꝛris & ten̄ vł catałł suis, quousq; fuit convictꝰ de felonia de qua rettatꝰ fuit; set qᵃm cito captus fuit, ꝑ visum custodum plitoꝝ Corone nr̃e, & ꝑ vis̃ vic̃ vł alioꝝ bałłioꝝ ñ, & leg̃ hõim videant' ten̄ & cat̃ ꝑdc̃a, & inbr̃iant', & salvo custodiant' ꝑ bałłios ip̃ius capti, qui bonā securitatē noƀ invenint, ad respondend corā Justic̃ de cat̃ vł de ꝑcio, si ab [exigat' [1]]; salvo tñ ip̃i capto & familie sue neccᵃia sua, qᵃmdiu fuit in p'sona, & rõnabili estoꝛio; ut cum iđm captus cor̃ Justic̃ nr̃is fuit cōvictus de felonia, tunc residuū catalloꝝ ultra estoꝛiū suū sc̃đm regni consuetuđ noƀ remaneant, cum ꝛmīo uniꝰ anni & uniꝰ diei de ꝛris & ten̄ suis. Et si corā Justic̃ se defendere poꝛit, de felonia sibi imposita, tunc catalla sua sibi remaneant quiete. Et ideo voƀ ꝑcipimꝰ qđ in ballis vr̃is de ceꝛo ita faciatis fieri [faciatis [2]] & firmiꝛ ꝑhibemꝰ vobis ne ꝑdc̃a occõne aliꝛ manū imponatis in ꝛris & ten̄ vł cat̃ alicujꝰ ꝑdc̃o modo capta. T. &c.

[1] eis exigantur *Printed Copies.* [2] erroneously repeated.

THE King to the Sheriff and all other his faithful Subjects sendeth Greeting. Know Ye, that it hath been provided in our Court before our Justices, that from henceforth no man who hath been taken for Manslaughter, or for other Felony for which he ought to be imprisoned, shall be disseised of his Lands and Tenements or of his Chattels, until he be convicted of the Felony whereof he be impeached; but as soon as he be taken, the Lands and Chattels aforesaid, shall be seen by the view of the Keepers of the Pleas of our Crown, and by the view of the Sheriffs or other our Officers and lawful Men, and shall be scheduled, and safely kept by the Bailiffs of the Prisoner himself, who shall find good Security to Us to answer before the Justices of the Chattels or of the Price thereof, [if they are taken from them; [1]] saving nevertheless to the Prisoner himself and his Family his Necessaries, so long as he be in Prison, and reasonable Estover; that when the same Prisoner be convicted before our Justices, of the Felony, then the residue of the Chattels, beyond his Estover, according to the Custom of the Realm remain to Us, with the Term of one Year and one Day in his Lands and Tenements. And if before the Justices he be able to defend himself of the Felony laid to his Charge, then his Chattels shall remain to him quietly. And therefore We command you, that in your Bailiwicks from henceforth ye so cause to be done; and We firmly prohibit you that you do not, on the aforesaid Occasion, otherwise lay your Hand upon the Lands and Tenements or Chattels of any one, in the aforesaid Manner taken.

Lands and Chattels of a Prisoner shall be delivered to Sureties to account, &c.

Forfeiture on Conviction.

Restitution on Acquittal.

[1] if they be demanded of them;

* This was first printed in Berthelet's *Secunda Pars Veterum Statutorum*, 1532; The Copy from *MS. Cott. Vesp.* was printed by Cay; among the Statutes of uncertain Date.

Statuta Armorum.

The STATUTES of ARMS.†

Ex MS. Rawlinson nu. 277. in Bib. Bodl. Oxon.

Incipiūt Statuta Armoꝝ.

[A LA requeste de Contes e de Barons e de la Chivalrie de Engleꝛre, ordine est, e ꝑ nostre Seignr le Rey comaunde, qe nul ne seit si hardi desoremes, Conte ne Baron ne autre Chivaler, qe al Torney voysent,[1]] de aver plus qe treys Esquiers armez, pur li s̃vir al Turney; e qe chescun esquier porte chapel des armes son Seignur qe il s̃vira a la jornee pur enseygne.

[1] A nostre Seignour le Roi prient et req̃rgent les Countz & les barōs et la chivalrie de Anglitere, qe come ils sont accordes, que il voile commander et confirmer un estatute des armes; q̃ nul ne soit si hardie desormes, Counte e baron nautre chivaller q̃ attourner voet, *Printed Copies.*

Purveu est e confermee par estatut a la requeste de toutz les baneres dengleꝛre q̃ nul deshoremes qe atournoyer voise soit si hardy, *Lib. Horn.*

Here begin the Statutes of Arms.

AT the Request of the Earls and Barons and of the Chivalry of England, It is Ordained and by our Lord the King commanded, That from henceforth none be so hardy, whether Earl, Baron, or other Knight, who shall go to the Tournament, to have more than three Esquires in Arms to serve him at the Tournament; and that every Esquire do bear a Cap of the Arms of his Lord, whom he shall serve that day, for Ensign.

Number, &c. of Esquires at Tournaments.

† The Date of this Instrument is wholly uncertain. It was first printed in Berthelet's *Secunda Pars Veterum Statutorum* 1532, and afterwards in Cay's Edition from some antient Manuscript not specified; In *Lib. Horn, London,* is a Copy intituled "Statutū Armoꝝ in Torneamentis," wherewith a Copy in *Lib. Custum. London,* agrees very exactly.

Armour at Tournaments.

And no Knight or Esquire serving at the Tournament, shall bear a Sword pointed, or Dagger pointed, or Staff or Mace, but only a broad Sword for turneying. And all that bear Banners shall be armed with Mufflers and Cuishes, and Shoulder-plates, and a Scull-cap, without more.

Penalty on transgressing the Statute.

And if it happen that any Earl, or Baron, or other Knight, do go against this Statute, that such Knight, by Assent of all the Baronage, shall lose Horse and Harness, and abide in prison at the pleasure of our Lord Sir Edward the King's Son, and Sir Edmund his Brother, and the Earl of Gloucester, and the Earl of Lincoln. And the Esquire who shall be found offending against the Statute here devised, in any point, shall lose Horse and Harness, and be imprisoned three Years. And if any Man shall cast a Knight to the Ground, except they who are armed for their Lord's Service, the Knight shall have his Horse, and the Offender shall be punished as the Esquires aforesaid.

Armour of Noblemen's Sons.

And no Son of a great Lord, that is to say, of an Earl or Baron, shall have other Armour than Mufflers and Cuishes, and Shoulder-Plates, and a Scull-cap, without more; and shall not bear a Dagger or Sword pointed, nor Mace, but only a broad Sword. And if any be found who, in either of these points, shall offend against the Statute, he shall lose his Horse whereon he is mounted that Day, and be imprisoned for one Year.

Spectators shall not be armed.

And they who shall come to see the Tournament, shall not be armed with any Manner of Armour; and shall bear no Sword, or Dagger, or Staff, or Mace, or Stone, upon such Forfeiture as in the case of Esquires aforesaid. And no Groom or Footman shall bear Sword, or Dagger, or Staff, or Stone; and if they be found offending, they shall be imprisoned for Seven Years.

Guests at Feasts.

And if any great Lord or other keep a Table, none shall bring thither any Esquire but those who are wont to mess in their Lord's presence.

Arms of Heralds.

And no King at Arms or Minstrels shall bear secret Arms, nor any other besides their Swords without Points. And the Kings at Arms shall have their Mantles without more, &c.

E qe nul Chr ne Esquier qe sert al Turney ne porte (1) fors espee large pur turneer. E q̃e tuz les baneors, qe baners portent, seent armez de mustilers, e de quisers, e de espaulers, e de [bacyn,[2]] sanz plus.

E sil avent qe nul Conte ou Baron, ou autré Chivaler, voyse encontre [le[3]] estatut, [[4]p le assent e le comaundem̃t nr̃e Seign[r] Sire Edward, fiz le Rey E [Sire Eumond frere le Rey,[5]] e Sire Willeme de Valence, e Sire Gilb̃t de Clare, e le Cunte de Nichole, qe celi Chivaler, qe issint s̃ra trove en forfetaunt en nul poynt encontre le estatut, seyt encurru cele peyne; qe il perde chival e armes, e demeorge en p[i]son a la volunte de avaũtdiz Sire Edward, Sire Eumond, e le autres.[6]] E qe le Esquier qe serra trove fesaunt encontre le estatut, qe issi est devise, en acun poynt perde chival e herneys e seyt iij. aunz en la prison. E [qe[7]] nul sake Chivaler a terre, fors ceus qe serrunt armez pur lur Seign[r] servir, qe le Chivaler pusse recoṽir son cheval, e cely seit en la forfeture des Esq[i]ers avaũt diz.

E qe nul fiz de graunt Seignur, ceo est asaver de Conte ou de Baron, ne seit arme fors de mustilers e de quisers, ([8]) e q̃e ne aporte cutel a poynte, ne espeye, ne mace, fors espee large. E si nul seit t̃ve qe, en ascun de ceos poynz, alast encontre le estatut, qe il perde son chival le quel il serra munte a la jornee, e seit en la prison un an.

E qe ceus qe vendrunt pur veer le turnem̃t ne seent armez de nule m̃ne de armure, ne qe il ne portent ne espee, ne cutel, ne bastun, ne mace, ne perre, sur la forfet[r]e des Esq[i]ers avaũtdiz. E qe nul garson, ne hõme a a pee, ne porte espee, ne cutel ne baston, ne perrer; e si il seent trovez enforfetaunt qe il seyent emp[i]sonez vij. aunz.

E si acun graũt Seign[r], ou autre, teygne mangerie, qe nul [esquier ne ameyne[9]] eynz fors ceus qe trencherũt devaũt lur Seignurs.

E qe nul Roy des Haraunz ne [Menestrals[10]] portent privez armez, ne autres forz lur espees saũz poynte. E qe le Reys des Harraunz eyent lur huces des armes saunz plus: &c.

[1] espeie a point, ne cotel a point, ne bastoun ne mace, *Lib. Horn*; *Printed Copies.*

[2] bacynette *Lib. Horn.*

[3] cest *Lib. Horn.*

[4]—[6] qe cely Chevaler par assent de tut le barnage perde cheval e herneys e demoerge en p[i]soun a la Volunte Mounf Edward fiz le Roy, e Mounf Emoun [Edmoun *Lib. Cust.*] frere le Roy, le Counte* de Gloucestr̃ e du Countee de Nicholee. *Lib. Horn.*

[5] Sir Edmund son frere, *Cay.*

[7] si *Lib. Horn.*

[8] e de Espaulers, e de bacynet, saunz plus, *Lib. Horn.*

[9] ne meigne esquier *Lib. Horn.*

[10] Mareschaus *Lib. Horn.*—Mareschal *Cay.*

Statutū de Sacram'to Mi'stroꝝ Reg'.*

STATUTE FOR OATHS OF THE KING'S OFFICERS IN THE EYRE.

Ex Lib. Horn. fo. 79 b.

(1) PRINCIPIŪ Itiñis Justič circa sacramentū; scire debes qđ in p'mo adventu Justič in Itinere suo bře per quod potestas eis concessa est in plena Cur̄ legi debeat. Deinde precipiet' qđ nich̄ [carius efficiatur in Com̄ nec in Villa nec [2]] in Civitate pretextu eoꝝ adventus. ¶ Deinde qđ nulle [Cur̄ in Com̄ infra libertatem nec ex[a 3]] teneantur sꝫ qđ Com̄ teneat' solūmodo ad profros faciendos, set in eo nullum placitabit' pl̄m nisi breve de Recto et appellum de morte hōis. [Deinde qđ nulle Nundine ne Ferea teneantur nec stent.[4]] ¶ Deinde precipiatur qđ nullum conducatur hospicium set venientibꝫ gratis concedatur. (5) Hoc Sacramentū prestabit' a Vicecomite & subvič.

Ceo oietz voꝰ Justices q̄ jeo leaument fray le office qe est apendaunt a mon Counte, E a moy cum a Viscounte: E ceo ne lerrai pur Riche ne pur poure ne pur amour ne p' haunge, qe leaument nel fray si Deu moy eit e ces seinz.

Istud Sacramentū prestabit' [ab ejus ministris [6]] quando [eligit [7]] duos Milites.

Ceo oiet voꝰ Justič qđ jeo leaument elirray ij Chevaillers [ou [8]] autres prodes hōmes del Hundred de N. qe ne seient Appelours ou appeles ne meintenours des apeaus ne mayntenours de play qe touche la Coroune, e qe meuz sachent e voillent fere ceo qe hom lour comaundera de par le Roy, e pur rien ne lerray k̄ ceo ne fray a moun ascient si dieu me eit e ces seinz.

Istud Sacramentū p̄stabitur a Militibꝫ electis per predčos Ballivos.

Ceo oietz vous Justič qe nous leaument elirrom, auxibien de nus meymes com̄ des autres [xij Chevaillers e autres [9]] prodes homes de Nostre hundred, qe meuz seuent voillent e puissent verite dire, de ceo ke lem lour demaundera de p̄ le Roys, e ke ne seient appelours ne appeletz, ne mayntenours de play ke touche la Coroune; e pur ceo ne lerray ke leaument nel fray. Si dieu meit e ces ceynz.

Istud Sacramentū p̄stabitur a xij Militibus qñ p ij eligunt'.

Ceo oiez vouz Justices ke jeo leaument fray e leaument dirray ceo ke lem me demaundera de part le Roys e vos counseals celeray, e pur rien ne lerray qe leaument fray a moun ascient, si meit dieu se ces Seinz.

Hoc Sacramentū p̄stabitur ab omnibꝫ Ballivis Com̄, alio m̄o q'm prius.

Ceo oiez vouz Justič qe jeo leaument fray ceo qe a moun office appent e vos counseaus celeray, ne nul hōme pur haunge ne greveray, ne pur favour aideray; si dieu meit a ces ceyntz.

Deinde liberabunt' om̄es Articuli de Com̄ xij Juratoꝝ cujꝰlibet Hundredi, et deinde assignabitur eis tempus ad veredicta sua reddenda sub pena m̄ie dn̄i Regis. Et si non reddiderint amerciabunt', secđm qđ Justič melius viderint expedire.

[1] Ad
[2] efficiet in villa vel in Com̄, nisi sit coram Justič, vel
[3] nundine nec ferie
[4] *Printed Copies* omit.
[5] Sacramentū Vič & aliorum ballivorū.
[6] a ministris Vič
[7] eligent
[8] et deux
[9] *Printed Copies* omit.

AT the Beginning of the Justices' Circuit, about the Oath; Thou shalt know that in the first coming of the Justices in their Circuit the Writ shall be read in the open Court, by the which their Authority is granted unto them. Moreover it shall be commanded, that nothing shall be [done in the Town or in the County, unless it be before the Justices, or in the City [1]] by reason of their coming. And that [no Fairs, neither Markets be kept [2]] but that the County be holden only to do profers; but no Plea shall be pleaded therein but a Writ of Right, and Appeal of the Death of a Man. (3) Moreover it shall be commanded, that no Hostery be hired, but be granted freely to them that come. Opening of the Circuit.

The Oath of the Sheriffs and other Officers. Oaths:

This Oath shall be made by the Sheriffs and Under-Sheriffs. "This hear you Justices, that I shall lawfully do the Office which is belonging to my County, and to me as a Sheriff; and that I will not leave for Rich nor for Poor, neither for Love nor for [Gain [4]] but I will lawfully do it. So God me help and his Saints." Of Sheriffs and Under-Sheriffs.

This Oath shall be made by the Ministers of the Sheriffs, when they shall elect Two Knights. "This hear you Justices, that I shall lawfully choose Two Knights [and Two [5]] other honest Men of the Hundred of N. which are not Appealors nor Appealees, (6) nor Maintainors of Pleas which touch the Crown, and which best know, and will do that which shall be commanded them on the King's Behalf; and [will not [7]] leave that which to my Knowledge I ought lawfully to do. So God me help and his Saints." The Oath of Sheriffs Officers; electing Two Knights.

This Oath shall be made by the Knights chosen by the aforesaid Ministers. "This hear you Justices, that We shall lawfully choose, as well of Ourselves as of other (8) honest Men of our Hundred, which shall best know, and will and may say the Truth of that which shall be demanded them on the King's Behalf, and which are not Appealors nor Appealees, nor Maintainors of Pleas which touch the Crown; and will not leave for any Thing which I ought lawfully to do. So God me help and his Saints." Oath of the Two Knights.

This Oath shall be made by the Twelve Knights when they are chosen by (9) Two. "This hear you Justices, that I shall lawfully say, and lawfully do that which shall be demanded of me on the King's Behalf; and shall keep secret your Counsels, and shall not for any Thing leave to do that which to my Knowledge I ought to do. So God me help and his Saints." Oath of the Twelve Knights.

This Oath shall be made by all Bailiffs (10) otherwise than first. "This hear you Justices, that I shall lawfully do that which belongeth to mine Office, and shall keep secret your Counsels, neither shall I grieve any Man for [Envy,"] nor help him for Favour. So God me help and his Saints." Oath of Bailiffs.

Then all the Articles of [every Hundred [12]] shall be delivered unto the Twelve Jurors of [the County,[13]] and then Time shall be appointed them to give their Verdicts, upon Pain of the King's Mercy. And if they give not their Verdicts they shall be amerced as to the Justices shall seem best. Delivery of the Articles to the Jury, &c.

[1] *that nothing shall be made dearer in the County, nor in the Town, nor in the City,*
[2] *no Courts be holden in the County, within Liberty nor without;*
[3] *Moreover that no Fairs nor Markets be kept, nor allowed.*
[4] *hatred* [5] *or* [6] *nor Maintainers of Appeals,*
[7] *I will not, for any thing* [8] *Twelve Knights, and other*
[9] *the* [10] *of the County* [11] *hatred*
[12] *the County* [13] *every Hundred,*

* The Various Readings are from the Copy first printed in Berthelet's *Secunda Pars Veterum Statutorum* 1556; intituled "Articuli & Sacramenta Ministrorum Regis in Itinere Just̄." The Translation is from Rastall's English Collection 1603.

Capitula Itineris.

The ARTICLES of the EYRE.*

Ex Lib. Cust. Lond. fo. 136 b.

Capitula de veĉib3 plitis Corone.

Pleas not ended in former Eyre.

OF old Pleas of the Crown which were before the Justices of our Lord the King, and were not ended.

New Pleas.

Of new Pleas of the Crown which afterwards arose in Time of Peace.

Persons in Mercy.

Of those who are in the Mercy of our Lord the King, and have not been amerced.

King's Wards, &c.

Of young Men and Women, who ought to be in the Ward of our Lord the King; who hath them, and by whose Means, and how much their Lands are worth by the Year.

Of Ladies who are and ought to be in the Gift of our Lord the King, if they have been married or are to be married, and if they have been married, to whom and by whom, and how much their Land may be worth by the Year.

Patronages.

Of Churches which are in the Gift of our Lord the King, what Churches they are, and who hold them, and by whom, and how much they are worth by the Year.

Escheats.

Of the Escheats of our Lord the King, what they are, and who hold them, and by whom, and by what Service, and how much they are worth, as well of the Lands of the Normans as of other Lands.

Serjeanties.

Of the Serjeanties of our Lord the King, what they are, and who hold them, and of what sort those Serjeanties are, and how much they are worth.

Purprestures.

Of Purprestures made upon our Lord the King, whether in Land or Water, whether in Liberty or out of Liberty, wheresoever.

Bribes.

Of those who have taken Gifts from those who have lodged Strangers, contrary to the Assise thereof made in the preceding Year.

Measures.

Of the Measures made and sworn throughout the Realm, if they be observed throughout the Realm, as hath been provided; and this should be understood of all Measures, made and sworn, as well of Yards and Weights as of other Measures;

Bribes to Keepers of Measures.

and if the Keepers of the Measures have taken Reward from any one, that they may buy and sell from them.

Assize of Cloths.

And if the Assize of the Breadth of Cloths hath been observed as it was provided, and likewise of those who have sold Cloths contrary to the Assize.

Treasure trove.

Also of Treasure found, who found the same and where.

Assize of Wines.

Of Wines sold contrary to the Assize, in Cities, Boroughs, Market Towns, and other Towns, wherever Wines are sold, who sold them, how many Casks a Year, and for how many Years.

Bribes to Sheriffs for Defaults by Hundredors.

Of Sheriffs and other Bailiffs of our Lord the King, who have caused Hundredors to meet to make Inquisition for Homicide, or other Pleas of the Crown, and where they have taken Money for Defaults.

Hue and Cry.

Of Hue and Cry levied and not followed.

Approvers.

If any have holden Pleas concerning Approvers without Warrant.

Christian Usurers.

Of Christian Usurers, who they were, and what Chattels they had, and who have those Chattels.

Chattels of Jews; of Enemies.

Of the Chattels of the French or Flemish of the Chattels of Jews put to Death, and their Charters and Pledges, and who have them.

De veteribȝ placitis Corone que fuerunt coram Justič dñi Regis & non fuerunt ꝺminata. 1.
De novis 2.
plitis Corone que postea emserunt tempore pacis. 3.
De hiis qui sunt in mia dñi R̄ et non sunt amerciati. 4.
De vadlettis & puellis [qui sunt & esse debent in donacione Dñi Reg̃ si sint maritati vel maritandi. Et si sint maritati,[1]] quibȝ, & p quem & q̄ntum terre eoꝝ valent p annū. De eccĩis que sunt in donacione Dñi 5.
Reg̃ que ecclie sint & qui illas hẽant (2) & quantū valent p annū. De escaetis dñi R̄ que sunt & qui 6.
illas tenent & p quē & p quod serviciū & q̄ntum valent tam de ꝺris Normannoꝝ q̄m de aliis. De ser- 7.
jantiis Dñi R̄ que sunt & qui illas tenent & cujꝰmodi serjantie ille sint & quantum valent. De purpresturis 8
fĉis sup dñm Regem sive in terra sive in aq̄ sive in lĩbtate sive ex̄ lĩbtatem ubicumque. De illis qui re- 9.
cepunt dona ab hiis qui hospitati sunt ex̄neos contra ass̄m factam [anno pꝛeꝺito.[3]] De mensuris fĉis, & 10.
juratis p Regnū si sint servate p Regnū sicut provisum fuit, & hoc intelligatur de omnibȝ mensuris (4) tam de ulnis, & ponderibus quam de aliis mensuris. Et si Custodes mensuraꝝ recepint mercedem ab aliquo ut possent ab eis emꝑe & vendere. Et (5) ass̄ latitudinis pannoꝝ servata sit sicut provisum fuit, et similiter de
illis qui vendiderunt pannos contra assisam. [De 11.
Thesauro invento.[6]] De vinis vend̄ cont̄ Assisam (7) 12.
De vič & aliis ballivis dñi R̄ qui cōvenire fecerunt 13.
hundred̄ pro inquisicione facienda pro morte hoĩs vt de aliis plitis Corone & ubi cepint nūmos p defalt̄ [vt[8]] hutes levato & nō secuto. Si quis tenuerit 14.
plitum de probatore sine warranto. De usurariis 15.
xp̃ianis qui fūnt, & que catalla habuer̄t & qui catalla illa hẽant. (9) De catall̄ Francoꝝ vt Flandr̄ vt aliorum 16.

[1] qui esse debent in custodia dñi Regis qui illos habēt & p quē, & q̄ntū terre illoꝝ valēt p annū. De dñabȝ q̃ sunt & q̃ ēe debēt in donac̃oe dñi Regis si sint maritate sive maritande & si sint maritate, *MSS. Harl.* 489, 667, 1120.

T. reads as the Text; except custodia *for* donacione.

[2] & per quē, *T. & MSS.*

[3] *T.* omits.—*MS. Harl.* 1120 inserts.

[4] factis & juratis *T.* [5] si *T. & MSS.*

[6] Item de thesauꝛ inventis, qui eos invenerūt & ubi. *MS. Harl.* 667.

[7] in Civitatibȝ burgis, villis mercatoriis, et in aliis villis ubicūq; vina vendita sunt, qui ea vendiderunt, quot dolea p annū et p quot annos. *MS. Harl.* 667. [8] De *T.*

[9] De catallis judeorum occisorum, et eorum chartis & vadiis et q̄ ea habeant. *T. & MSS.*

* These Articles were printed in Tottell's Magna Carta 1556, without any Date. In *MSS. Harl.* 1120, 1214, they begin thus, "Incipiunt Capitula que plitantur in Itiñe Nova et Vetera. Edwardus Dei gr̃a Rex Angl̄ Dñs Hibn̄ & Dux Aquit̄ Justič suis Itiñ in Com̄ Linč, Salt̄m. Scire faciat̄ nob̄ diligent̄ in fide qua nobis tenemini de Articulis subscꝛiptis, qualit̄ & quo modo ꝺvant̄ & sub qua forma. Primus Articls. De hiis qui sunt in mia Reg̃ [&c.]" In *MS. Harl.* 489, they are intituled thus, "Cap̃ plitand̄ corā Justič de Itiner̄; Aº r. r. E. fit R. H. viij." and begin thus "De veĉib3 plitis Corone que alias fuerūt corā Just̄ & nō sunt ꝑfata. De novis plitis Corone que emserūt post ultimū Iter Justič. De hiis [&c.]" Tottell's Printed Copy and all the Manuscripts are more or less imperfect and confused; and the several Parts and Clauses of the Articles are arranged very variously. The Readings marked *T.* are from Tottell's Printed Copy: The others are from *MSS. Harl.* 489, 667, 867, 1033, 1120, 1214: *T. & MSS.* denotes that some or all of the MSS. agree with Tottell's Printed Copy

17. inimicoꝝ Dñi Reg̃ (1) qui illa hẽant. De falsatoribꝫ
18. & tonsoribꝫ Denarioꝝ. De Moneta & excambio dñi Reg̃, Sciłt quis fecit monetam, vel excambiū sine dño
19. rege vł ejus capitali Justič. De Burgatoribꝫ & aliis
20. malefc̃oribus & eoꝝ receptatoribꝫ tempore pacis. De
21. fugitiis. De utlagatis & eoꝝ catall & quis ea hẽat.
22. De utlagatis si redierint sine Waranto. De hiis p
23. quoꝝ terras utlagati & Burgatores tnsierunt & qui non
24. fecerunt sectas post eos sicut facere debuerunt. De mcatis remotis ab uno die in aliū diem sine licencia
25. dñi R nisi sit die dñica. Si quod mercatum levatum
26. fuerit de novo sine licencia dñi Reg̃. De Mercede capta pro blado vł aliis catall dimittendis ne capentur
27. ad castr. Et similiter de p'sis fc̃is p vič, vel Constabulař, vel alios Ballios contra voluntatē eoꝝ quoꝝ
28. catalla fuerint. De novis consuetudinibꝫ levatis in
29. terra sive in aqua & quis eas levavit & ubi. De defaltis de hiis qui sumoniti fuerūt adẽe coram Justič
30. primo die plłti & nō venerunt. De gayolis deliberař sine
31. Waranto dñi R vł Justř suoꝝ. De malefc̃oribꝫ in pcis
32. & vivař & qui illi fūnt. D' Rapinis & prisis fc̃is de extraneis p quos fc̃e fuerunt, & quando, & ubi (2).
33. De Wrecko maris. De evasione Latronū. De hiis
34. qui non pmittunt ballivos Reg̃ intrare terras suas ad faciend sumoniciones (3) vel dist'cciones (4) dñi Reg̃,
35. vel aliis reb̃ꝫ sine sp̃iali mandato dñi Reg̃. De Ballivis qui recepint dona pro recognitoribꝫ ammovend
36. de juratis vł assisis. D' hiis qui tenent terras Normannoř Flandř Britañ & alioꝝ ex'neoꝝ de quocūq, feodo sint & quo Wař eas tenent, [vel quibꝫ 5] dñs Rex cō-
37. cessit talia feoda conferenda. D' hiis qui subt'xerīt sectas, Com̃, [Schiroꝝ,6] Hundredoꝝ & auxił vič post guerram motam inter Regem [H.7] & Baroñ suos p voluntatem Vič & Ballioꝝ suoꝝ sine voluntate & as-
38. sensu dñi Reg̃. De Vič & aliis Ballivis dñi Reg̃ qui cepunt redempciones de vadlettis tenentibꝫ integr' feoda militum, ne fierēt Milites ad mandatum dñi R cū spāle
39. mandatū inde habuerint. De vadlettis integra feoda Militum tenentibꝫ, & plene etatis existentibꝫ militibꝫ
40. faciendis. De vič & aliis Ballis qui plita Corone & plita de Namio vetito, & alia plita tminant in Com̃, vł Hundredo, vel alibi, p sacmentū xij cum nullam hẽant potestatē sine pcepto R & hoc p breve suū.
41. De excessibꝫ vič & alioꝝ ballioꝝ Dñi Reg̃ sive infra [etatem 8] sive ex' qui aliquod plitum foverint pro aliqua pte ptextu terre vł custodie, hende, (9) pquirend, vel alicujꝰ alius pfectus p quod vitas & Justicia suffocantur. De Ballis domini Reg̃ ambidext's
42. qui capiunt ex una pte & alia. De Hundred, Tridingg̃,
43. Wapentag̃ & aliis [manerř 10] dñi Reg̃ positis ad firmam
44. [tempore dcoꝝ vič.11] D' prisis dñi Reg̃, sive in terra sive [in aqua,12] sive in libtatibꝫ spectantibꝫ ad castra sive ad Civitates suas sive ad Burgos suos, (13) que sint & q'ntū valent & qui eas occupaverint

Men, or other Enemies of our Lord the King, which have been retained, who have them. Of Forgers and Clippers of Money: Of Money and the Exchange of our Lord the King; to wit, who hath made Money or Exchange without our Lord the King, or his Chief Justice. Of Burglars and other Malefactors, and the Receivers of such in Times of Peace. Of Fugitives; of Outlaws and their Chattels, and who hath them; of Outlaws, if they have returned without Warrant. Of those through whose Lands Outlaws or Burglars have passed, and who have not made Suit after them as they ought to do. Of Markets changed from one Day to another Day without the Licence of our Lord the King, unless it be Sunday. If any New Market hath been set up without the Licence of our Lord the King. Of Reward taken for letting go Corn or other Chattels that they should not be taken to the Castles. In like Manner of Prises made by Sheriffs or Constables or other Bailiffs, against the Will of them to whom the Goods belong. Of new Customs levied either by Land or Water, and who levied them, and where. Of Defaults of those who were summoned to be present before the Justices on the First Day of the Plea, and came not. Of Gaols delivered without the Warrant of our Lord the King, or of his Justices. Of Malefactors in Parks and Vivaries, and who they were. Of Rapines and Prises made from Strangers, and by whom they were done, and when, and where, and of what Things, and by whose Power. Of Wreck of the Sea. Of the Escape of Thieves. Of those who do not permit the Bailiffs of our Lord the King to enter their Lands to make Summons, or Attachments, or Distresses for the Debts of our Lord the King, or other Things, without the special Command of our Lord the King. Of Bailiffs who have taken Gifts for removing Recognitors from Juries and Assizes. Of those who hold the Lands of Normans, Flemings, Bretons, and other Strangers of whatsoever Fee they may be, and by what Warrant they hold them, whether of our Lord the King or of others, upon whom our Lord the King hath granted such Fees to be conferred. Of those who have withdrawn Suits of the County Court, Trithings, Hundreds, and the Aids of the Sheriff, after the War moved between the King and his Barons, by the Will of the Sheriff and his Bailiffs, without the Assent and Will of our Lord the King. Of Sheriffs and other Bailiffs of our Lord the King who have taken Ransom of young Men holding whole Knights Fees, that they might not be made Knights at the Command of our Lord the King, though they had a special Command thereunto. Of young Men holding whole Knights Fees, and of full Age, who ought to be made Knights. Of Sheriffs and other Bailiffs who determine Pleas of the Crown, and Pleas de namio vetito, and other Pleas in the County or Hundred or elsewhere, by the Oath of Twelve Men, when they have no Power so to do, without the Precept of our Lord the King, and this by his Writ. Concerning the Excesses of Sheriffs and other Bailiffs of our Lord the King, whether they be within Liberty or without, who have favoured any Plea for any side by Pretence of having Land or Wardship, or obtaining Money or any other Profit, by which Justice and Truth are stifled. Of Bailiffs of our Lord the King who are double handed, and take from both Parties. Of Hundreds, Trithings, Wapentakes, and other Bailiwicks of our Lord the King set to Ferm by the Sheriff or Bailiffs, how much every of them are worth by the Year, and for how much they have been set to Ferm in each Year in the Times of former Sheriffs, and for how much they are now set. Of the Prises of our Lord the King, whether on Land or on Sea, or on fresh Water, or in Liberties belonging to his Castles, or to his Cities, or to his Boroughs, or in other Places, what they are, and how much they are worth, and who hath occupied

Forgery and Exchange of Money.
Burglars, &c.
Fugitives and Outlaws.
Persons not making Pursuit.
Markets.
New Markets.
Purveyance.
New Customs.
Defaults before Justices.
Gaol-deliveries.
Trespassers in Parks, &c.
Takings from Strangers.
Wrecks.
Escapes.
Obstructors of Bailiffs.
Bailiffs bribed.
Tenants of the Lands of Aliens.
Withholders of Suits of Courts.
Holders of Knights Fees.
Sheriffs, &c. holding Pleas of the Crown without Warrant.
Sheriffs, &c. favouring Parties.
Hundreds, &c. let to Farm.
Prises of the King.

[1] retentis *T.*
[2] et de quibꝫ reb̃ꝫ et de cujus potestate. *MS. Harl.* 667.
[3] vel attachiamenta *T.* [4] pro debitis *T.*
[5] sive de dño Rege, sive de aliis quibꝫ *MS. Harl.* 667.
[6] Trithing̃ *T.* & *MS.*
[7] Joānem *T.* *MSS. Harl. read* Regem & Baroñ
[8] libertatem *T.* & *MS.*
[9] vel denarioꝝ *T.* & *MS.* [10] ballivis *T.* & *MS.*
[11] per vicecomitē, vel ballivos, quantū singula valēt per annū, & p quāto posita fuerūt ad firmā quolibet anno temporibus vicecom̃ pteritorū, & p quāto modo posita sunt. *T.* & *MSS.*
[12] in mari, sive in aqua dulci, *T.* & *MS.*
[13] vel in aliis locis, *T.* & *MS.*

Scotale. or concealed, or stifled them. Of inferior Bailiffs which make the Ale which is called Scotale, and sometimes Filsonale, or Outlaw's Ale, that they may extort Money from the Suitors of the Hundred and those subject to them. Of those who make Ale, and gather Garbs in the Autumn, taking

Chattels of Foreigners. away and extorting Corn from the Poor. Of the Chattels of Foreigners being of the Power of the King of France, taken while our Lord the King was in Gascony, what hath become

Warrens without Warrant. of them, and who had them. Of those who have set up a Warren on their Lands without Warrant of our Lord the King.

Wears. Of those who fish with Kidels and Wears. Of Sheriffs

Sheriffs bailing, for Reward, Homicides, and other Bailiffs who have taken Money of those who were charged with Homicide, that they might dismiss them by bail, when they were not bailable, without the special Warrant of our Lord the King. Of Sheriffs and other Bailiffs of our Lord the

or Thieves. King, who have imprisoned those who were charged with Theft by Indictments, and have detained them in Prison until they received a Ransom for them, that they might be bailed, when by the

Extorting by colour of Amercements. Law of England they were not bailable for any Ransom. Of Sheriffs and other Bailiffs of our Lord the King, who have received Money more than once from any one for one Amercement, when he was only once amerced. Of those who have

Of undue Distresses. distrained many Persons, having one name, for one Amerciament for Summons of the Exchequer, that each should pay an Amerciament for himself, when one only was amerced. Of those who have distrained any one to pay more than he was

Manucaptors. amerced by Summons of the Exchequer. Of those who as Manucaptors have received any one to have him before the

Embezzling Writs. Justices, and had him not on the first Day. Of those who have embezzled the Writs of our Lord the King, and have sold them to the other Party, whereby our Lord the King hath

Coroners taking Bribes, &c. lost what belonged to him. Of the Coroners who have taken Money or other Reward for doing their Office; and if they have concealed the Chattels of Felons and Fugitives, or detained them to their own Use, and how much, and to whose

Takers of Pigeons. Hands those Chattels have come. Of those who take Pigeons by Nets or other Engines, to the Destruction of the Pigeon

Bridges and Causeways. Houses. Of Bridges and Causeways broken, and common Highways, who ought to repair and sustain them. Of

Bailing of suspected Persons. Persons taken and imprisoned upon any Suspicion of Evil by the Sheriff and other Persons whomsoever, in what manner they

Felons hanged in inferior Jurisdictions. have been delivered. Of Felons hanged and condemned elsewhere than before the Justices for common Pleas, to whose Hands their Chattels have come, and who hold their Lands, if they had any, and from what Time, and how much they

Trespassers in Warrens. are worth by the Year. Of those who go into the Warrens of others without the Licence of the Lords. Of Sheriffs who

Sheriffs taking Bribes. have taken Money from Persons excommunicated for having respect to them that they should not be taken. Of Money taken from those not coming to the Summons of the Sheriff, who have taken it, and how much. Of Sheriffs and Bailiffs who have taken Money for Watches ordained in the Realm,

Fraudulent Alienations. and not kept. Of those who by Fraud or any Malice do alien their Lands or Tenements against the coming of the Justices, so that they should not be put upon Juries or Assises before

Confederacies by Oath. them. Of those who by Oaths bind themselves to support or defend the Parties, Quarrels and Businesses of their Friends and well-wishers, whereby Truth and Justice are stifled.

sive celavit sive suffocaverint. (1) D' catall exneor 45.
de potestate R Francie existenciū captis dum dñs
Rex fuit in Vascoñ, quo devenerunt, & qui ea ha-
buerunt. D' hiis qui levaverunt Warennū [sine 46.
Warenn.6] D' hiis qui piscantur cum Kidell (7). 47.
D' vic & aliis Ballivis qui cepunt denar ab hiis qui 48.
rettati fuerint de morte hominis ut dimitterēt eos p
plevinam, cum non fuerint replegiabiles sine speciali
precepto dñi Reg. De Vic & aliis Ballis dñi Reg qui 49.
inp'sonaverunt illos qui rettati sunt de latrocinio p
indictamenta, & illos in prisona detinunt quousque ab
illis redempcionē cepint ut possīt replegiari, cum p
legem Angl nulla redempcione fca [illis qui fuerint
irreplegiabiles.8] D' Vic & aliis ballivis dñi Reg qui 50.
plures cepint denar ab aliquo p uno amerciamento cum
non nisi semel fuerit amerciatus. D' hiis qui dis- 51.
trixunt plures fintes unum nomen pro unico amercia-
mento pro sumonicione Sccii ut unusquisque pacaret
p se unicū amerciamentum cum unus eor tantū fuerit
amerciatus. D' hiis qui distnxunt aliquem [p plus 52.
qd id9] ad q°d fuerit amerciatus p sumonicionē Sccii.
D' hiis q' manucepunt de ftendo aliquem coram Justic 53.
& illū non habunt p'mo die. D' hiis qui subt'xerint
brīa Regis & ea alīi pti vendiderunt p quod Dñs Rex
amisit quod ad ipm ptinebat. D' Coronatoribus qui 54.
denar vel aliq'm mercedem recepīt p officio suo exe-
quendo, & si catalla felonū, vel fugitivor concelaverint
vel ad op suū detinuerint, & q'ntū & ad quor manus
catalla illa devenerunt. D' hiis qui cepunt columbas 55.
aerias, p quod columbaria destruunt' p Rethia, vel p
alia ingenia. De pontib3 & [calceis10] fractis & cō- 56.
munib3 t'nsitib3 quis ea repare debeat, & sustinere. 57.
D' captis & incarcat pro aliqua suspicione mali p vic vel
alios quoscumque qualit delibati fuerūt. Item de 58.
felonibus suspensis, & dampnatis alibi quam coram
Justic, ad [omnia11] plita, ad quor manus catalla illa
devenerunt & qui terras si quas huerunt teneāt & a
quo tempore, & q'ntum valent p annū. De hiis qui 59.
currunt in aliis Warennis sine licencia dñor. (12)

[1] De parvis ballivis qui faciunt [servitium qd[2]] vocatur Scotale, quandoque [filsonsale[3]] ut extorqueant pecuniam a sequentib hundredum et eorum subditis. De hiis qui [colligere faciunt servisiam, et garbas[4]] in autumno [et de hiis qui detrahunt et extorquent blada pauperum[5]] *T.* & *MSS.*

[2] servisiam que *MSS.*

[3] { Sulsenale *MS. Harl.* 867.—Sylsuynghal *MS. Harl.* 1120.
{ Velagheshale *MS. Harl.* 667.

[4] faciunt servisiam, et colligunt garbas *MS. Harl.* 667.

[5] extorquentib3 blada pauperū et detrahentib3. *MS. Harl.* 667.

[6] in terris suis sine Waranto dñi Regis. *MS. Harl.* 667.

[7] et skarkellis *T.* & *MSS.*

[8] fuerint replegiabiles *MS. Harl.* 667. *T.* ends this Sentence with 'replegiari'

[9] ad pacandū plusquam *MS. Harl.* 667. [10] calcetis *T.*

[11] cōmunia *T.* & *MSS.*

[12] De Vicecom qui ceperunt denar ab aliquibus excōmunicatis, pro respectu habendo ne caperentur. De denariis captis de non venientibus ad summonitionem Vicecom, q' eos ceperūt & quantum. De Vicecom & ballivis qui ceperunt denarios pro vigiliis in regno constitutis non observatis. [De hiis qui in hieme columbas aereas vicinorum suorum deteriorant vel destruūt.[13]] De hiis q' p fraudē, vel aliquā maliciā, ras vel tenenta sua alienant cōtra adventū justitiariorū, ita qd non ponerentur in juratis, nec in assisis coram eisdem. De hiis qui sacramentis se astringunt ad partes vel loquelas [negociorū[14]] amicorū benevolorū sustinendas vel defendendas, per qd veritas et justicia suffocātur. *T.* & *MSS.*

[13] See Article 55 in the Text.

[14] & negocia *MS. Harl.* 867.

INCIPIUNT CAPITULA NOVA, de eisdem plitis; Tempore R. E. facta.*

1. QUOT & que dñica Maneria dñs Rex ht in manu
2. sua in singul Comitatib3, tam scilt de antiquis dñicis Corone q^m de escaetis & pquisitis. Que eciam manlia esse solent in manib3 Regū predecessor3 R, qui ea nunc tenent, quo War, & a quo tempore, p quem
3. & quoño fuerint alienata. D' feodis dñi reg & illa tenentib3 & qui ea [eo mō[1]] teneant de ipo in capite & quot feoda singuli eor teneant, & que feoda tenli solent de Rege in capite & nūc tenent' p mediū, p quē mediū, vel medios, & a quo tpre alienata fuerint, & qualiter, & p quos: (2) ut^m per Ballivos aut p eosdem [gentes,[3]] & p quos Ballivos & p quos [gentes,[3]] & a quib3 alienate sunt, & qualit & a quo tempore.
4. Inquirat' de firmis Hundror, Wapentag, Tridingor, Civitatum, Burgor, & alior redditū quorumcumq;
5. alienatis, & a quo tempore. Quot Hundra, Wapent, Triding sūt nūc in manū Dñi Reg, & quot & que sunt in manib3 alior, (4) & quo War, & quot valeat
6. quodlt hundr p annū. D' sectis antiquis, cons, & servic & aliis reb3 dño Regi & antecessoribz suis subt^ctis, qui ea subt^axerint, & a quo tempore, & qui h^oi sectas, cōsuetud, & servic, & alia ad ipm Regē ptinencia & consueta sibi ipis appriaverint & a quo tem-
7. pore & quo Waranto. Qui eciam clamant a Rege hre returnū, vel extractas brium, et qui plita teneant de namio vetito, & qui clamāt hre Wreccū Maris, quo Waranto, & alias libtates Regias, ut furcas & assisas panis & cvis & alia que ad Coronam ptinent, & a
8. quo tempe. D' (5) hnt Libtates p Regem Angl concessas & eis aliter usi fuerint q^m facere debuissent &
9. a quo tempore, & quo modo. D' libtatib3 concessis que impediunt cōem justiciam, & Regiā potestatem subvertunt, & a quo concesse fuerūt & a quo tempore.
10. Qui eciam app'averint sibi libas chacias, vt Warennā, sine War; & qui ab antiquo h^oi chacias vt Warēnam ex concessione Reg huerint & fines & metas extorserint, & a quo tempe [dñi Reg execucōm hūerint.[6]]
11. Qui eciam dñi aut eor senescalli vt Balli quicumq;, seu eciam dñi Reg Ministri, nō sustinuerint mandator dñi R execucōm fieri, aut ea facere contempserint, vel aliquo alio modo fieri impedierint a tempore constitucionū istar apud Marlebergh anno Dñi R Henr plis Reg E. lijo.

[1] modo *Rot. Pat: Lib. X: T.*

[2] De tris eciam *tenenciū* de antiquo dñico Corone tam liberor Sokemannor quam Bondor, *Rot. Pat: Lib. X: T.*

[3] tenentes *Rot. Pat: Lib. X: T.*

[4] et a quo tpre *Rot. Pat: T. & MSS.*

[5] hiis etiam qui *Rot. Pat: T. & MSS.*

[6] *Rot. Pat: T. & MSS.* omit.

Here Begin THE NEW ARTICLES of the said Pleas; made in the Time of KING EDWARD.*

HOW many and what Demesne Manors our Lord the King hath in his Hand in the several Counties, as well, that is to say, of the ancient Demesnes of the Crown, as of Escheats and Purchases. What Manors also used to be in the Hands of the Kings his Predecessors, who now hold them, by what Warrant, and from what Time, by whom and in what Manner they were aliened. Of the Fees also of our Lord the King, and of the Tenants thereof, and who now hold them of him in Chief, and how many Fees each of them holdeth, and what Fees used to be holden of the King in Chief, and are now holden through a Mesne Tenant, and by what Mesne Tenant or Tenants, and from what Time they were aliened, and how and by whom. Of the Lands also of those holding of the ancient Demesne of the Crown, as well Freemen Sokemen as of Bondmen, whether they have been aliened, whether by Bailiffs or by such Tenants, and by what Bailiffs, and by what Tenants, and from whom, and how and from what Time. Inquiry shall also be made of the Ferms of Hundreds, Wapentakes, Trithings, Cities, Boroughs, and of other Rents whatsoever they be, which have been aliened, and from what Time. Also how many Hundreds, Wapentakes, and Trithings are now in the Hand of our Lord the King, and how many and what are in the Hands of others, and from what Time, and by what Warrant, and how much each Hundred is worth by the Year. Of ancient Suits, Customs, and Services, and other Things withholden from the King and his Ancestors, who have withholden them, and from what Time, and who have appropriated to themselves such Suits, Customs, and Services, and other Things, pertaining and by Usage belonging to our Lord the King, and from what Time, and by what Warrant. What Persons also claim to have from the King the Return or Estreats of Writs, and who hold Pleas de namio vetito; and who claim to have Wreck of the Sea, by what Warrant, and other Royal Liberties, as Gallows, and Assises of Bread and Ale, and other Liberties which belong to the Crown, and from what Time. Of those also that hold Liberties granted to them by the Kings of England, and have exercised them otherwise than they ought to do, and from what Time, and in what Manner. Of Liberties granted, which are in hindrance of common Justice, and do subvert the Royal Power, and by whom they were granted, and from what Time. Of those also who have appropriated to themselves free Chaces or Warrens without Warrant, and likewise those who of old have had such Chaces or Warrens from the Royal Grant, and have unduly enlarged their Metes and Bounds; and from what Time. Also what Lords, or their Stewards or Bailiffs whosoever, or even the Officers of our Lord the King, have not persevered to enforce the Execution of the Commands of our Lord the King, or have contemptuously neglected to execute them, or in any other Manner have hindered them from being executed, from the Time of those Constitutions made at Marlborough, in the Fifty-second Year of King Henry, the Father of King Edward.

King's Demesne Manors.

King's Fees.

Lands in antient Demesne; aliened by Freemen or Bondmen.

Ferms of Hundreds, &c. alienated.

Suits and Services, &c. withholden, &c.

Claim of Return of Writs, and other Liberties.

Exercise of Liberties.

Grants of detrimental Liberties.

Usurpations of Chaces and Warrens.

Lords and others, Contemners of the King's Commands.

* The Distinction thus made in *Lib. Cust. London*, between this Part of the Capitula Itineris and the preceding is not noticed in Tottell's Printed Copy. In several MSS. this Part is distinguished by the Title of 'Novi Articuli.' In *Lib. Scacc. Westm. X. fo.* 42 (38) *b.* this and the succeeding Part are included in one Instrument, intituled 'Articli de Inquisicoib3 faciend.' The preceding Part, containing the Capitula Vetera is not entered in that Manuscript. The Various Readings marked *Rot. Pat.* are from the Patent Roll, 2 Edw. I. m. 6. on which is entered a Precept from the King "De inquis fac" dated at the Tower of London 11 Oct. assigning certain Persons, in several Counties, to make Inquiry on Oath "de quib3dam jurib3, libtatib3 & reb3 aliis nos & statum nrm necnō & statum cōitatis com pdcor contingentib3, et insup de fcis & gestib3 Vicecōitum & Balior quor cū in Com predcis, put in articlis quos vob inde t^adidim^o pleni^o otinet'." The Articles of Inquiry subjoined to the Precept extend from the Beginning of these Capitula Nova to the End of Chapter 34.

Purprestures. Of all Purprestures committed upon our Lord the King himself or his Royal Dignity, by whom they were done, and how and

Knights Fees, &c. alienated to Eccle-siastics, &c. from what Time. Of Knights Fees, of whose Fee soever they were, or Lands or Tenements given or sold to Men of Religion or others, in prejudice of the King, by whom, and from what Time.

Sheriffs, Bailiffs, &c. bribed or negligent; Of Sheriffs taking Gifts for consenting to the concealing of Felonies committed in their Bailiwicks, and who have been negligent in attaching such Felons, for favour, as well within Liberties as without. In like Manner of Clerks and other Bailiffs of Sheriffs, Coroners, and their Clerks, and their Bailiffs of any Sort, and who have done so in the Time of our Lord King Henry after the Battle of Evesham, and who in the Time of our Lord the now King. Of Sheriffs and other Bailiffs whatever, taking Gifts for removing Recognitors from

or making improper Amerce-ments. Juries and Assises, and from what Time. Of Sheriffs and other Bailiffs whatever, who have amerced those who were summoned to make Inquisitions by the Precept of our Lord the King for Default, when, by the same Summons, there came sufficient Persons to make such Inquisition; how much they have taken, and from whom on the Occasion aforesaid, and from what

Sheriff's Tourn. Time. Also, Whereas the Sheriff ought to make his Tourn only Twice in the Year, who hath made his Tourn oftener,

Fines for Redisseisin, &c. and at what Time. Whereas Fines for Redisseisin or Purprestures made by Land or Water, for hiding of Treasure and other such Things pertain to the King, and the Attachment thereof to the Sheriffs; Who have taken such Fines, and from

Oppressions of Office. whom, how much, and at what Time. Also who by the Power of their Office have maliciously troubled any, thereby extorting from them Lands, Rents, or other Payments, and

Extortionate Bailiffs. from what Time. Of Sheriffs who have delivered over to extortionate Bailiffs, oppressing the People beyond Measure, Hundreds, Wapentakes, Trithings, at high Rents, that so they may levy their Ferms, and who such Bailiffs were, and to whom such Damages were done, and from what Time.

Payers of the King's Debts. Who have received the King's Command to pay his Debts, and have taken from the Creditors a certain Portion for paying them the Remainder, and nevertheless have caused the whole to be allowed to themselves in the Exchequer or elsewhere,

Receivers of the King's Debts. and from what Time. Who have received the King's Debts, or part of the Debts, and have not thereof acquitted the King's Debtors, as well in the Time of our Lord the King Henry as in the Time of our Lord the now King. Who have summoned

Bribes to respite Knighthood. any that they should be made Knights, and have received Bribes from them for favour to be shown, and from what

Distresses to take up Arms. Time, and how much. And if any Great Men or others, without the Precept of our Lord the King, have distrained any to take up Arms, and from what Time. Whether Sheriffs

Undue Execution of Writs, &c. and other Bailiffs of any Liberty have made Summonses not in due Manner, according to the Form of the Writ of our Lord the King, or have otherwise fraudulently and insufficiently executed the Precepts of our Lord the King for

Gaolers suborning Provers; Entreaty, Bribe, or Favour, and from what Time. Also who have had Provers in Prison, and have made them appeal faithful and innocent Persons for the Sake of Gain, and sometimes have hindered them from appealing the guilty; and by whose procurance such Things were done, and from what

permitting Escape of Felons; or extorting for Bail. Time. Also who have had in Prison Felons, and for Money have permitted them to go away and escape from Prison free and unpunished; and who have extorted any Money for letting out Prisoners upon bail, when they were bailable, and

Corruption, &c. in Office. from what Time. Who have received Gifts or any Gains for the exercising or for the not exercising their Offices, or have executed or exercised them without the Precept of our Lord the King, in other Manner than belonged to their Office, and from what Time; And all these Things shall be enquired of as well concerning Sheriffs, Coroners, and their Clerks and

D' omnib3 p'prestuꝝ fc̃is sup dn̄m Regem vel Regalem dignitatem per quos facte fuerunt, & qualiter, & a (1) tempore. [2D' feodis Militarib3 cujuscumq; feodi, aut terris aut tenementis datis vt venditis Religiosis aut aliis in prejudicium ℞, p quos, & a quo tempore.2] De Vic̃ capientib3 mun̄a, ut consenciant ad concelanđ felonias factas in Ballis suis, & qui negligentes sint ad felones h9i attachiandis quocumque favore, tam infra libtates q'm ex'. Simili modo de clicis & aliis ballivis vic̃, Coronatoribꝫ & eoꝝ clicis & eoꝝ Ballivis quibuscūq;, et qui ita fecint tempore Henꝛ Reg̃ post bellū de Evesh'm & qui tempore dn̄i Reg̃ nunc. D' Vic̃ & Ballis quibuscumq; capientib3 mun̄a pro recognitoribꝫ amovendđ de juratis & assis & a quo t̄pe. D' Vic̃ & Ballis quibuscumq; qui amerciaverint illos qui sumoniti fuerint ad inquisiciones faciendas p preceptū Dn̄i Reg̃ pro defalta cū p eanđe sumonicionem psone venint sufficientes ad h9i inquisicionem faciendam, & quantū cepint & a quib3 occ̃one predc̃a & a quo tempore. Cū vic̃ non debeant turnū suū tenere nisi bis in anno, & qui turnū plies fecit & a quo tempore. Cum fines de rediseisina, aut p'prestuꝝ fc̃is p terram vt p aq'm, pro occultacione Thesauri, & aliis h9i que ad dn̄m Regem ptineant & ad vic̃ h9i attach̃; Qui cepint fines h9i & a quib3 & quantū & a quo tempore. (3) D' Vic̃ qui tradiderunt ballis extorsoribꝫ, pp̄tm gravantib3 supra modū, Hundꝛ Wapenꝛ Tridinḡ [& alias firmas,4] ut sic suas firmas [lederent,5] & qui fuerunt illi balli & q'b3 fuerint h9i dampna illata & a quo tempore. [Qui cepunt mandatum Dn̄i Reg̃ ut ej9 debita solverent & a creditoribꝫ aliquam porcionē recepunt ut eis residuū solverent, et nichilōi9 totum sibi allocari fecint Sc'cio vt alibi & a quo tempore.6] Qui recepint debita Reg̃ vt ptem debiti, & [debita illa7] non acquietaverint, tam de tempe dn̄i Reg̃ Henꝛ q'm de tempore dn̄i ℞ nūc. Qui sumoneāt aliquos ut fierent Milites, & pro respectu ħndo, ab eis lucra recepint & a quo tempore & quantum. Et si qui Magnates vt alii sine precepto Dn̄i Reg̃ dis-t'nxerunt aliquos ad arma suscipienda & a quo tempore. Cum Vic̃ & alii balli cujusꝛt libtatis fecerint non debito modo sumoniciones, sc̃dm formam bꝛis dn̄i (8) vt alias fraudulenter, seu min9 (9) executi fuerint precepta Reg̃, prece, precio, vel favore, & a quo tempore. Item qui hũerunt probatores inprisonatos & fecerint eos appellare fideles & innocentes cā lucri, & quandoq; eos impedierit, ne culpabiles appellarent, & p quoꝝ procuracionē talia fc̃a fuint & a quo tempore. Itm qui ħuint felones inp'sonatos & pro pecunia eos a prisona evadere pmiserint libos & [ministros.10] Et qui peccuniam extorserint pro p'sonis dimittendđ p plevinam [cū replegiabiles non fuerint11] & a quo tempore. Qui dona vel alia lucra recepint p officiis suis exercendđ vel non exercendđ, vt aliter executi fuerint seu excc̃uerint [fines mandatoꝛ12] Reg̃ alit q'm ad offm̄ suū ptinuit & a quo tempore; Et ista inquirantur [a13] Vic̃, Coronatoribꝫ,

1 quo *Rot. Pat: T.*

2 *T.* and some *MSS.* omit. *Rot. Pat*; *Lib. X*; insert.

3 It qui potestate officii sui aliquos malic̃ose occ̃onaverint & p hoc extorserint ꝑras reddit9 aut alias prestac̃oes & a quo t̄pre. *Rot. Pat: Lib. X. and several MSS.*

4 ad altas firmas *Rot. Pat.* 5 levarent *Rot. Pat: T. & MSS.*

6 *T.* & some *MSS.* omit. *Rot. Pat. Lib. X.* & *MSS.* insert.

7 debitores illos *Rot. Pat: T.* & *MSS.*

8 Reg̃ *Rot. Pat: T.* & *MSS.*

9 sufficien9 *Rot. Pat: T.* & *MSS.*

10 impunè *Rot. Pat: Lib X.* impunes *T.* & *MSS.*

11 cū sint repleg̃ *Rot. Pat:* cū sint replegiandi *Lib. X.*

12 sine mandato *T.* The *MSS.* in general agree with the Text. *Rot. Pat: Lib. X.* read, "excessit fines mandati."

13 tam de *Rot. Pat: T.* & *MSS.*

& eoz clicis & Ballis quibuscumque, q'm de Dñis
30. & Ballis libtatum q'zcūq. Item qui Vič vel custodes
Castroz vt manlioz dñi Reg̃, de opacionibz dñi Reg̃
quibuscūq, vt eciam visores h^{o}i opacionū ubicūq, factaz
per preceptum dñi R, magis computaverint vel testificati
fuerint in eisdem, q'm racionabili^{p} [apposuerint '] et
sup hoc falsas allocaciones sibi fieri procuraverint.
31. Et simili^{p} qui pet'm vt maeremiū, vel alia ad h^{o}i opa-
ciones empta seu provisa, ad opus suū amov^{p}it seu
retinu^{p}it, quid & q'ntū dampnū dñs Rex inde hu^{p}it &
32. a quo tempore. D' Escaetoribz & subeschaetoribz in
seysina Dñi Reg̃, facientibz vastum vel destruccionē in
pcis, boscis, vivariis & warennis, infra custodias sibi cō-
missas p dñm Regem, quantum & de quibus, & quo-
33. modo & a quo tempe. Itm de eisdem si occasione h^{o}i
seisinaꝝ cepint bona defunctoz vel heredū in manū dñi
Reg̃ injuste donec redimerentur ab eisdem, quid &
quantū (*) ad op^{o} suū retinu^{p}int & a quo tempore. (*)
34. Item de eisdem qui min^{o} sufficienter extenderunt terram
alicujus in favorem ejusdem vt alterius, cui custodia
terraꝝ illaꝝ vendi vel concedi debuerat in decepcionem
Dñi Reg̃, & ubi & quom^{o} & quid inde cepint & quan-
35. tum & a quo tempore. Item de eisdem qui prece,
precio, vel favore, consenserint vel consulerint custo-
dias Dñi Reg̃ vendere p minori q'm vendi debuerant,
sc̄dm verum valorem, (*) vel maritagia heredum te-
nencium de Rege in Capite, vel maritagia dñaz viduaz
maritaz sine licencia dñi Reg̃, & quid pp^{p} hoc
36. ceperunt & quantum &c. [[5] Item de eisd̄ qui consen-
suerunt & procuraverunt qd̄ juratores inquisicionū
factaz, de etate heredum, dicerent ip̄os heredes fuisse
plene etatis cum nō essent, unde Dñs Rex amitteret
37. custodias vel maritagia h^{o}i heredum.[5]] Item de eisdem
qui reserva^{p}int, ad op^{o} suum pprium, custodias vel
maritagia h^{o}i hedū pro levi precio, sive p concela-
mento fc̄o in Cur̃ dñi Reg̃, & cujusmodi dampnū dñs
38. Rex inde hiuit & a quo tempore. Item cujusmodi
terras seisier̃t & p quantū tempus eas in manu dñi Reg̃.
39. Item de terris captis in manū Dñi Reg̃ que non deber-
rent capi & postea restitutis p p̄ceptū [Et cum pre-
ceptū fuerit [6]] utrū pcepta restitu^{p}nt ad mandatum dñi
Reg̃, aut non. Et de ōibus predc̄is factis vel
cōmissis infra xxv. annos px̄ p̄ritos predc̄i Justič se
intromittant. Et om̄es illi qui sentiunt se sup hiis
gravatos & inde conqueri voluerint, audientur & fiet
eis justicia; & ip̄i justiciarii sequantur pro hiis que
ad dñm Regē contingunt.

[1] disposuerint *MS. Harl. 667.*—*Rot. Pat*; *Lib. X.* as Text.

[2] ita cepint' p huj^{s}modi redēp̄c̄oe & quid *Rot. Pat*; *Lib. X.*

[3] It̄ de eisdē q^{l} cepint mulla a quibzcūq p officio suo exequendo vt nō exequēdo q'ntū & a quibz & quo tp̄re. *Rot. Pat*: *Lib. X.*

[4] vel maritagia ad dominū Regem spectātia. Et si aliquo modo concelaverint custodias domini regis, *T. & MSS.*

[5] *T.* and some *MSS.* omit.—*Lib. X*; *MSS. Harl. 667*, 1033, 1120, insert.

[6] dñi Regis, cū perceptis, *T. & MSS.*

Bailiffs whatever, as concerning the Lords and Bailiffs of Liberties whatever. Also what Sheriffs or Keepers of the Castles or Manors of our Lord the King, concerning Works of any sort done for our Lord the King, and also what Overseers of such Works, wheresoever done by order of our Lord the King, have computed or certified more in the same than they could have reasonably applied, and thereupon have procured false Allowances to be made to them. And in like Manner who hath carried away or retained to his own Use, Stone, Timber, or other Things bought or provided for such Works, and what, and how much Loss our Lord the King hath had thereof, and from what Time. Of Escheators and Sub-Escheators in the Seisin of our Lord the King, making Waste or Destruction in Parks, Woods, Vivaries, and Warrens, within the Wardships committed to them by our Lord the King, how much, and of what, and from what Time. Also of the same Persons, if under colour of such Seisins they have taken the Goods of dead Persons, or of Heirs, into the Hands of our Lord the King unjustly, until they were redeemed by such Persons, what and how much they so took, and for whose Redemption, and what they retained to their own use, and from what Time. Also of the same Persons who have taken Gifts from any for executing, or for not executing, their Office, how much and from whom, and from what Time. Also of the same Persons who have insufficiently extended the Land of any one, in favour of him or of any other to whom the Custody of those Lands ought to be sold or granted, in deceit of our Lord the King, and where, and when, and what they therefore took, and how much and from what Time. Also of the same Persons who for Entreaty, Reward, or Favour, have consented or consulted to sell any Wardship of our Lord the King, or the Marriages belonging to our Lord the King, for less Price than they ought to be sold according to their true Value; and if, in any way, they have concealed the Wardships of our Lord the King, or the Marriages of the Heirs of those holding of the King in Chief, or the Marriages of Ladies, Widows, married without the King's Licence, and what they have taken therefore, and how much, &c. Also of the same Persons who have consented and procured Jurors on Inquests made concerning the Age of Heirs, to say that the said Heirs were of full Age when they were not so, whereby our Lord the King should lose the Wardships or Marriages of such Heirs. Also of the same Persons who may have reserved to their own Use the Wardships or Marriages of such Heirs, by a light Price, or by Concealment made thereof in the Court of our Lord the King, and what Loss the King hath thereby had, and from what Time. Also what Lands they have seised, and how long in the King's Hands. Also of Lands taken into the Hands of our Lord the King, which ought not to have been taken, and afterwards restored by order of our Lord the King with the Profits, whether they restored the Profits at the Command of our Lord the King or not. And of all the aforesaid Matters done or committed within Twenty-five Years last past, the aforesaid Justices shall take Cognisance. And all who feel themselves aggrieved upon these Things and will thereof complain shall be heard, and Justice shall be done to them; and the Justices themselves shall make Suit for those Things which touch our Lord the King.

False Accounts of Keepers of Castles and Surveyors of Works.

Embezzlers of the King's Timber, &c.

Escheators and Sub-Escheators, committing Waste;

making wrongful Seizures; &c.

insufficient Extents;

unduely selling or concealing Wardships and Marriages;

procuring false Inquests as to Heirs;

taking to themselves Wardships, &c.

Seizure and Restoration of Lands.

The Time to which the Enquiry shall extend.

Trespassers upon Religious Houses.

OF Great Men and others coming to lodge at the Houses of Religious Persons, when they were not invited by the Governors thereof, at the Charges of the same or at their own Charges, against the Will of such Religious Persons; and if any, by Occasion of any Affinity, or any other Pretext, have chaced in the Parks or fished in the Ponds of others; or have entered the Manors of Prelates, Men of Religion, or others, to eat or pass the Night without the good will and Licence of the Lords or Bailiffs of the same Manors, at the Charges of the same Lords, or at their own Charges. And likewise of those who have broken or opened Locks, Windows, Doors, or the like, or have taken Victuals or other Things found in the same Manors under colour of buying or otherwise. Also of those who have caused to be thrashed or taken away Corn, Victuals, or other Goods of Prelates, Men of Religion, or others, under colour of buying or otherwise, against the Will of those to whom they belonged. Also of those who have taken away Oxen, Horses, Waggons, Carts, Ships, or Boats, to make Carriage, without the Consent of those to whom they belonged; and if with their Consent, of those who have not made Satisfaction on the Bargain between them. Also of those who have taken Revenge of any who have denied them Food or Lodging; and likewise of those who have taken Revenge because that any have complained in the King's Court, upon the aforesaid Grievances. Also of those who have sent to the House of any Men of Religion, or the Manors of any Men of Religion, Men, Horses, or Dogs to

Retinue, &c. of Sheriffs.

be entertained at their Costs. Also of Sheriffs coming to lodge in their Bailiwicks with more than Five or Six Horses, or who by frequent comings and beyond Measure have burthened any. Also of those who have levied Escapes of Thieves

Escapes of Thieves.

or Felons, before they have been adjudged by our Justices in

Wreck.

Eyre. Also of those who by Colour of Wreck of the Sea have appropriated to themselves the Goods of any, when the same ought not to be called Wreck, nor did belong to them.

Unreasonable Amercements.

Also of those who were amerced without reasonable Occasion, and not according to the Quantity of their Offence, and not

Prises.

by their Peers, and by whom they were amerced. Also of Prises of Constables of Castles, made of the Goods of others than those who are of the Towns where the Castles are situate; and if of the Goods of those who are of the same Towns Satisfaction hath not been made within Forty Days, except the antient Prises due and accustomed; by whom such Prises

Pursuit of Felons neglected.

were made, and when. Also of those who at the Command of the Sheriff or other Bailiffs of our Lord the King, or at the Cry of the Country, have not caused to be pursued and arrested Felons, abiding as well within Liberties as without.

Concealment by Sheriffs, of Felonies, &c.

Also of Sheriffs, Coroners, and other Bailiffs abiding in the Country, as well within Liberties as without, who for Entreaty, Bribe, or Favour, or for any Affinity, have concealed or procured to be concealed Felonies committed in their Bailiwicks, or have withdrawn themselves from the arresting of

Rapes.

such Malefactors. If any hath ravished Damsels being within

* DE Magnatibꝫ & aliis venientibꝫ hospitand ad domū Religiosoꝝ, cum non essent requisiti p̄ gubernatores eoꝝdem (1) vel ad custum p̄prium contra voluntatē eoꝝdm Religiosoꝝ; & si qui occ̄one cujꝰcumq; affinitatis, vel alia racione quacumq;, fugav̄int in p̄cis vt̄ piscati fuerint in vivar̄ alioꝝ, vt̄ ingressi fuerint maneria prelatoꝝ, religiosor̄, vt̄ alioꝝ, ad cōmedendum vel p̄noctandū, sine voluntate & licencia dn̄oꝝ vel ballivoꝝ eoꝝdem manꝺioꝝ, ad custū eoꝝdem dn̄oꝝ vel ad custum p̄priū. 1.

Et similiter de hiis qui seruras, fenestras, hostia vel consimilia fregerunt seu apierunt, seu victualia vel alia bona inventa in eisdem manꝺiis cepint sub colore empcionis vel aliter. 2.

D' hiis qui triturari vt̄ capi fecerunt blada victualia vel alia bona p̄latoꝝ, Religiosoꝝ vel alioꝝ, sub colore empcionis vel aliꝰ contra voluntatem eoꝝ quoꝝ ip̄a fuerūt; (2) et si de voluntate, de hiis qui nō satisfecerūt de cōvencione inꝰ ip̄os facta. 3.

Item de hiis qui vindictam fecerint quibuscumq; qui escas vt̄ hospicia eis negaverint; et similiꝰ de hiis qui vindc̄am fec̄int eo qd̄ si aliqui sup predc̄is gⁿvaminibꝫ in Cur̄ dn̄i Regis conquesti fuerint. 4.

Item de hiis qui miserunt ad domū religiosoꝝ vel maneria Religiosoꝝ vt̄ alioꝝ, hōies, Equos vt̄ canes p̄hendinantes ad custum [alienū.(3)] 5.

Item de Vic̄ venientibꝫ hospitandū in Ballis suis cum p̄libꝫ qⁿm quinq; vel sex equis, vt̄ qui p̄ frequentes advent⁹ & ultra modū quoscumq̄ onꝺaverint. 6.

Item de hiis qui levaverunt [escambiū (4)] latronū vel felonū antequā adjudicati fuerint p̄ Justic̄ itinerantes. 7.

Item de hiis qui sub colore de Wrecco maris bona quoꝝcumq; sibi appⁱaverint, cum ea dici Wreccū nō debeant, nec ad ip̄os p̄tineant. 8.

Item de hiis qui amerciati fuerint sine racionabili occ̄one, & non sc̄dm qⁿtitatem deic̄i, & nō p̄ pares suos, & p̄ quē amerciati. 9.

Item de prisis Constabularioꝝ castroꝝ, fc̄is de bonis alioꝝ quam eoꝝ qui sint de villa ubi castra sita sunt; et si de bonis eor̄ qui sunt de eisdem vill̄ & non satisfc̄m fuerit infra xl. dies; exceptis antiquis prisis debitis & consuetis p̄ quem hꝰi prise facte fuerint & quando. 10.

Item de hiis qui ad mandatum vic̄ & alioꝝ Ballioꝝ Dn̄i Reg̃, vel ad clamorem patⁱe sequi vel arrestari non fecerint felones, conv̄santes tam infra lib̄tates quam exª. 11.

D' vic̄ coronatoribꝫ & aliis ballis conversanꝫ in patⁱa tam infra lib̄tates qⁿm exª, qui prece, precio, vel favore, vel quacumq; affinitate, concelaverint vel concelari p̄curav̄int felonias fc̄as in ballis suis [vt̄ qui se subtªxerint ad hujusmodi Malefactores capiendos.(5)] 12.

Si quis rapuerit domicellas infra etatem 13.

(1) ad custum earundem, *T. & MSS.*—ad custos eoꝝdem *Lib. X.*

(2) Item de hiis qui ceperint boves, equos, carros, carectas, naves, vel batellos ad cariagia facienda sine voluntate eorum quorūm ipsa fuerint; *T. & MSS.*

(3) eorū. *T. & MSS.* (4) eschapia *T. & MSS.*

(5) vel se finxerint attachiare [vt̄ arestare *Lib. X.*] hujusmodi malefactores in favorem eorumdem, qualiter & quomodo. *T. & MSS.*

* The Articles of Inquiry brought together in *Lib. Cust. London*, in this Third Part, relative to the Observation of certain Provisions in Stat. Westm. 1, 3 Edw. I. are in the Printed Copies intermixed with the Contents of the former Parts: In *Lib. Scacc. Westm. X.* they form Part of the 'Articuli de Inquisic̄oibꝫ faciend.' See Note at bottom of Page 235.

14. existentes [cont^{a} voluntatem eaꝝ.[1]] Item de viĉ & aliis ballis qui replegiaverīt felones cum non essent replegiabiles [et similiter de hiis qui prisones replegiari recusaṽint qui replegiables fuerint;[2]] et si que recepint
15. ꝑ ꝑdĉis replegiacionibꝫ, quid & quātum & a quibꝫ. Item de hiis qui cepunt aṽia alioꝝ vel capi fecerint in uno Comitatu et ea fugaverint ex^{a} comit̃ illum; & similiter de hiis qui cepunt aṽia vt districciones ex^{a} feodum suū.
16. Item de hiis qui fugaverint averia ad castra vel forcellata & ea ibi detinuṽint cont^{a} vad & salvos plg, cum ꝑ Viĉ vt Ballivos Regios petita fuerit eoꝝ deli-
17. bacio. De Viĉ & aliis ballivis qui recepint debita dñi Reg̃ Henr̃, vel debita dñi Reg̃ nunc, de Sum̃ Sc^{a}cii et debitores inde non acquietaverint, & de eoꝝ her̃ qui modo (3) sunt supstites & q^{a}ntum recepint &
18. a q^{i}bꝫ. Item de malefĉoribꝫ ꝓcoꝝ & vivarioꝝ & eciam de hiis qui veniendo, morando & redeundo, q^{a}mcūq, roḃiam fecerint, & de aliis reb̃ quibuscumq,.
19. Iť de hiis qui fecerint districciones in Civitatib̃, Burgis, nundinis, vel mercatis, sup hōies forinsecos de regno isto, pro debito alicuj^{9} nisi sint debitores vel plegii.
20. Item de Ministris Dñi Reg̃ qui manutenuṽint ꝑ se vel ꝑ alios, alias loquelas vel negocia in curia Dñi Reg̃ existencia, de terris & tenementis vel aliis reb̃, ut ħeant inde ꝓtem, [vt aliquod profectum ꝑ convenĉom inde inter eos factam.[4]] Et similiter de viĉ & aliis ministris dñi Reg̃ capientibꝫ ·muña pro officiis suis
21. exercend. Item de Clicis Justiĉ, Eschaetoꝝ vel Inquisitoꝝ, capientibꝫ denarios pro capitul delibandis nisi fuerint Clici Justiĉ in Itiñe. Et de illis si plus cepint, quā ij s. [de warento, hundr̃o qui respondent[5]] ꝑ xij
22. vel vj. Item de hiis qui capiunt supflua vel indebita theolnea, in Civitatib̃ Burgis vel alibi, cont^{a} cōem
23. usum Regni. De Civib^{9} Burgensibꝫ capientibꝫ muragia sibi ꝑ dñm R̃ concessa, aliter quam facere deberent, sc̃dm concessionem a dño Rege inde fc̃am. (6)
24. Item de hiis qui cepint plures equos ad carectas, ad cariagia Reg̃ facienda aliter quā nĉĉe fuit, & qui munera cepint pro eisdem remittend; quid, & q^{a}ntum, &
25. a quibꝫ. Item Magnatib̃ & eoꝝ Ballivis, et similiter de aliis, exceptis ministris Regis q^{i}bꝫ specialis ad hoc datur auctoritas, (8) ad instanciam cujuscumque vel auctoritate (9) attachiaṽunt quoscūq, vel eoꝝ bona transeuncia ꝑ eoꝝ potestates, cōpellend ꝑ hoc iꝑos ad respondend coram eis, de contractibꝫ convencionibꝫ & t^{a}nsgr̃oibꝫ (10) ex^{a} posse & jurisdiccionē suam cum nichil teneant dę iꝑis [teñ[11]] nec infra libtates suas.
26. De Viĉ & aliis Ballivis qui non ꝑmiserint pascere quoscumq, de suo, ꝓpria averia sua capta & inꝑcata; & quid recepint pro custodia eorumdem, cum illi quoꝝ aṽia fuerint hoc face (12) pati; et hoc intelligendum est post [capcionē post post predictum parliamentum.[13]]

[1] spōte vel invite, seu alias mulieres plene etatis existentes contra voluntatem earum. *T. & MSS.*

[2] *T.* and some *MSS.* omit.—*Lib. X.* inserts.

[3] non *T. & MSS.*

[4] *T.* and some *MSS.* omit.—*Lib. X.* inserts.

[5] ad Wapentagiū hundredum seu villatam que respondet *T. & MSS.*

[6] Itē de hiis qui ceperint victualia vel alia necessaria ad op^{9} dñi Regis, sive ad munitionē castroꝝ vel alibi [ubicūq, nomine creditoꝝ: Et^{i} cū ceperunt debitū illud in Sc^{a}ccio vt in Garderoba vel alibi[4]] ea detinuṽint creditoribus. Et de hiis qui partem cepint debitoꝝ dñi Regis, vt alia munera, ut de residuo creditoribꝫ satisfacerent. *MSS. Harl.* 667, 489: *Lib. X.*

[7] *T.* omits; and reads 'alibi et ea.'

[8] qui *T. & MSS.*

[9] propria *T. & MSS.*

[10] factis *T. & MSS.*

[11] *T. & MSS.* omit.

[12] fuerint *T. & MSS.*

[13] Parliamentum de termino sancti Michaelis, anno domini Regis nunc [Regn̄ Reg̃ E. *Lib. X.*] tertio. *T. & MSS.*

Age, whether with their Will or against it, or other Women, being of full Age, against their Will. Also of Sheriffs and other Bailiffs, who have bailed Felons when they were not bailable, and in like Manner of those who have refused to bail Prisoners who were bailable, and if they have taken any Thing for such lettings to bail, what, how much, and from whom. Also of those who have taken the Cattle of others, or caused the same to be taken in one County, and have driven them out of that County; and likewise of those who have taken Cattle and Distresses out of their Fee. Also of those who have chaced Cattle to Castles or Fortresses and there detained them against Sureties and Safe Pledges, when their Delivery was demanded by the Sheriff or other the King's Bailiffs. Also of Sheriffs and other Bailiffs who have received the Debts of King Henry, or the Debts of our Lord the now King, of the Summons of the Exchequer, and have not acquitted the Debtors thereof, and of the Heirs of those who are not now surviving, and how much they have received, and from whom. Also of Trespassers in Parks and Vivaries, and of those who in coming, tarrying, and returning to or from any Place, have committed any Robbery, and of any other Things. Also of those who have made Distresses in Cities, Boroughs, Fairs, or Markets upon Strangers of the Realm, for the Debt of another, unless they were Debtors or Pledges. Also of Officers of our Lord the King, who have maintained, by themselves or others, the Pleas or Businesses of others, existing in the Courts, concerning Lands and Tenements, or other Things, that they might have Part thereof, or any Profit, by Agreement made between them concerning the same. And likewise of Sheriffs and other Officers of our Lord the King, taking Gifts for exercising their Offices. Also of the Clerks of Justices, Escheators, or Inquirers taking Money for delivering of the Articles, unless they be the Clerks of the Justices in Eyre; and of them if they take more than Two Shillings for a Wapentake, Hundred, or Town, which answereth by Twelve or by Six. Also of those who have taken superfluous or undue Tolls in Cities, Boroughs, or elsewhere, against the Common Custom of the Realm. Also of Citizens and Burgesses, who, in respect of Murage granted to them by our Lord the King, have taken otherwise than they ought to do, according to the Grant of our Lord the King, thereof made. Also of those who have taken Victuals or other Things needful for the King's Use, either for the furnishing of Castles, or elsewhere, in any place, in the Name of Creditors; and when they have received that Debt at the Exchequer or in the Wardrobe, or elsewhere, have detained the same from the Creditors. And of those who have taken part of the Debts of our Lord the King, or other Gifts that out of the Residue they might satisfy the Creditors. Also of those who have taken more Horses for Carts to make Carriage for our Lord the King, otherwise than was necessary, and and who have taken Gifts for remitting the same; what, and how much, and from whom. Also of Great Men, and their Bailiffs, and likewise of others, except the King's Officers to whom special Authority is given for the same, who at the Instance of any one, or of their own proper Authority, have attached any, or their Goods, passing through their Jurisdictions, compelling them thereby to answer before them of Contracts, Covenants, and Trespasses made out of their Power and Jurisdictions, when they held nothing of them, nor within their Liberties. Also of Sheriffs and other Bailiffs who have not permitted any to feed, from their own Stock, Cattle taken and impounded; what they have taken for the Custody of them, when the Owners of the Cattle were ready so to do: And this is to be understood after the Parliament of the Term of St. Michael, in the Third Year of the Reign of our Lord the now King.

Bailing of Felons, &c.

Unlawful Distresses.

Detention of Cattle.

Sheriffs not acquitting the King's Debtors.

Trespassers in Parks, &c.

Distresses upon Strangers.

Maintenance by Officers of the King.

Extortion by Sheriffs;

Clerks of Justices, &c.

Undue Tolls.

Murage.

Frauds and Abuses in Purveyance.

Attachments to compel Appearance in Liberties.

Feeding of Cattle impounded.

Distresses on Beasts of the Plough, &c.

Of Distresses made after the King prohibited the same in the said Parliament, by Animals employed for Tilling the Earth, or even by Sheep, for the Debt of our Lord the King or of others, or on any other Occasion, or by any other Person, when other sufficient Distress was found. And likewise of superfluous Distresses, made as well after the said Parliament as before. Also of Cattle taken for the Debt of our Lord the King, or for any other cause, and sold within Fifteen Days after the Taking, after the Parliament aforesaid. Also of those who take Reward from any for having an Avowry, when they are not their Tenants nor residing within their Tenures. Also of those who bind themselves by mutual Oaths, unjustly or justly to defend fraudulently Parts of Pleas or Suits affecting their Friends or Well-wishers, as in Assises, Juries, Recognizances, whereby they cannot be convicted in such Pleas or Suits according to the Truth. Of those who aliene Lands and Tenements by Fraud, or in any other Manner, against the Arrival of the Justices, so that they may not be put on Assises or Juries, who they were, and by whose Procurement such Things were done, and for what Time. And all those Things which touch the aforesaid Statutes, distinctly and openly shall be inquired; so that Justice be done to every Complainant, and that the Pains in the said Statutes contained be adjudged against every Offender, either at the Suit of the King or of others, according to what is contained in the said Statutes: But the Pains in the said Statutes contained are to be adjudged for Offences committed after the Feast of St. Michael, in the Second Year of the Reign of King Edward, and not before; Yet for Trespasses or Offences before then committed, such Pain shall be adjudged, as before the aforesaid Statutes was wont to be adjudged in like Cases.

Superfluous Distresses.

Sale of Distresses.

Gifts for Avowries.

Confederacies to maintain Suits.

Alienations of Lands, to avoid Juries.

Here end the Articles relating to the First Statutes of King Edward.

[De districcionibus factis postquam Rex inhibuit in dco pliamento p animalia ad Wannag terraꝝ deputata, vel eciam p bidentes pro debito dñi Reg vel alioꝝ, seu alia quacumq; occõne, vel p quemcumq;, cum alia sufficiens districcio inventa fuerit. Et similiꝫ de superfluis districcionibꝫ factis tam post pliamentū qm ante.'] 27.

Item de averiis captis pro debito dñi Reg vel alia occasione p quemcumque & venditis infra [xv dies.[2]] 28.

[Item de hiis qui capiunt mercedem ab aliquibꝫ pro advocacione hñda, cū nō sint eoꝝ tenentes, nec residentes in tenuris eoꝝ.[4]] ([5]) 29.

De hiis qui alienant terras & tenta p fraudem vl alio modo contra adventū Justic, [ut[6]] ponent in Assisis, juratis; qui fuerint illi & p quoꝝ procuracionem talia facta fuerint & a quo tempore. 30.

[[7]Et hec omnia que contingunt predca statuta, distincte & apte inquirantur; ita qd cūiit conquerenti fiat justicia, & qd pene in eisdm statutis cõtente cuilibet [offensionem[8]] adjudicentur, sive ad sectam Reg, sive alioꝝ; scdm qd in eisdem statutis ꝯinet'; Pene aute in predcis statutis contente adjudicande sunt de cõmissis ([9]) fcis, tal adjudicet' pena qua [autem[10]] [p[11]] predca statuta adjudicari consuevit in casibus *consimilibꝫ*.[12]]

Expliciūt capta pma Statuta R. E. cõtingencia.

[1] *T.* and some *MSS.* omit. *MS. Harl.* 667; *Lib. X.* insert.

[2] [viginti[3]] dies post capcionem post predictum parliamentum. *T.* and *MSS.* [3] qndecim *Lib. X.*

[4] *T.* and some *MSS.* omit. *MS. Harl.* 667. inserts.

[5] Item de hiis qui mutuis sacramētis, se injuste seu juste astringunt, ad partes placitoꝝ vel loquelarū, amicos vel benevolos tangenꝫ, fraudulenꝫ sustinend vel defendend, ut in Assisis, Juratis, Recognitionibꝫ, p quod rei veritas in hm placitis vel loquelis inde nō possunt convinci, &c. Expliciunt Capitula de Itinere Vetera & Nova. *MS. Harl.* 667.

[6] ita qd non *T.* & *MSS.* See ante.

[7]—[12] *T.* and some *MSS.* omit.—*Lib. X: MSS. Harl.* 489, 867, insert. [8] offendenti *Lib. X: MS. Harl.* 867.

[9] pō fm Sci Michis, Anno regni Regis E. ij° et nō an. Tamen de trnsgssionibꝫ vel offensis pus *Lib. Scacc. X.*

[10] añ *Lib. X.* [11] *Interlined in a later hand-writing.*

Capitula Escaetrie.*

ARTICLES OF THE OFFICE OF ESCHEATOR.

Of Knights' Fees and Advowsons.

FIRST, and principally Inquiry shall be made of Knights Fees, and the Advowsons of Churches belonging to our Lord the King, to wit, how many there are, and what Tenements there are, and the Quantity of the Tenure, and by what Services.

Also, if those Fees be whole or dismembered, not having respect to Time.

Also, if dismembered, by whom, when, to whom, in what Manner, by what Means, and how much they are worth by the Year.

Also, if they be delivered to any one for Term of Life or Years without the King's Licence, then to whom, when, in what Manner, and by what Means, and how much they are worth by the Year. And if they be holden by a Mesne, by what Mesne.

Tenements holden of the King in Chief.

Also of Tenements which are holden or ought to be holden of the King in Chief, if any one make himself Mesne between our Lord the King and his true Tenant, then it shall be inquired where, when, in what Manner, and by what Means, and to what Damage of the King, or if they have lately changed the Tenure.

PRIMO et pricipaliter inquiratur de feodis militum, et advocationibus ecclesiarū ad dñm Regem pertinentibus, viz. quot sunt, et que sunt tenementa, et quantitas tenure, et per que servicia.

Item si feoda illa integra sint, vel demembrata, non habendo respectum ad tempus.

Item si demembrata, per quem, quando, cui, qualiter, quomodo, et quantū valēt p annum.

Item, si tradantur alicui ad terminū vite, vel annorū sine licentia Regis, tunc cui, quando, qualiter, et quomodo, et quantū valent p annū. Et si tenentur p mediū, per quem mediū.

Item de tenementis que tenentur de Rege in capite, vel teneri debent, si aliquis faciat se medium inter dominū regem & verum tenentem suum, tunc queratur ubi, quando, qualiter et quomodo, et, ad quod damnū Regis vel si modo tenuram mutaverint.

* These are inserted in *Tottell's Magna Carta, &c.* 1556, among other Articles which are there said to be "taken out of Old Copies examined by the Rolls," and then first printed; but they have not been found upon any Roll, nor in any Manuscript; and are therefore reprinted from the Text in *Tottell.*

Item de aliis qui tenēt de corona p magnā serjantiam, vel parvam, antiquum dominicū dñi Regis, socagiū, feodi firmam, vel per aliqd servicium, si iidem tenentes aliquid alienaverint, vel demēbraverint, cui, quando, quantum, qualiter et quomodo, sive sint de aliquo honore, sive de corona, et de valore annuo. Et si aliquis qui de Rege tenuerit per antiquum dominicū, vel socagium, mutaverit tenuram suam, et ad damnum Regis, cui, ubi, quando, qualiter, et quomodo, et ad quod dānū Regis, & quantū hujusmodi tenemētū valet p annū.

Item si aliquis concelaverit aliquem redditum, sive aliquod servitium, seu aliquas consuetudines dño Regi debitas, tūc quis, quādo, qualiter & quomodo, & que servitia, & quem redditū, & quas cōsuetudines, et que teneñta tenent de quibus debentur hujusmodi servitia, et quantum valent per annum & ad quod dānum Regis hujusmodi concelamenta sunt.

Item de heredibus quorum custodia et maritagium pertinent ad dñm Regē, et dñs Rex ea habuerit, quādo deberet habere. Et si aliquis hujusmodi heredū ingressus fuerit sine autoritate curie, et absq; legitima etatis sue probatione si infra etatem, et si plene etatis, absq; faciendo regi homagium, vel aliud servitium quod ei debet. Et tunc quis sit ille heres, quo tempore intravit, et post mortem cujus, et per quod servitium illa hereditas teneatur, et quantum valet per annum.

Item de viduis similiter quarum maritagiū pertinet ad Regem, si se maritaverint sine licencia Regis, cui, quando, cujus consensu, & ad quod dānum Regis, & quantū tenementa valent que tenēt in dotem de primo marito suo.

Item de heredibus qui deberent esse in custodia Regis, et quis custodiā usurpaverit super Regem, et a quo tempore, et quantum tenementa que tenent valeant per annum.

Itē si aliquis hujusmodi heredum cujus antecessor de Rege tenuit in capite, sive de aliquo herede in custodia Regis existente, maritatus fuerit sine licētia Regis, tunc cui, qñ, et per cujus consensum, et quantum terre ille valent p annū, et quātū cepit pro maritagio.

Itē si dominice terre dñi Regis in isto Wapentagio sunt in tali statu sicut esse deberent, vel si tradantur ad firmam, si dimittantur secundum valorē annuū earūdē; et si custodes vel firmarii vastum, vel destructionem, vēditionem, seu exilium fecerint in eisdem, vel in terris existentibus in manu dñi Regis per custodiam, vel alio modo, quis, ubi, quando, &c.

Item si aliquis qui de Rege tenet in capite, alienaverit aliquem redditum, aliquod servitium, vel aliquas consuetudines, ad damnū dñi Regis, &c. tunc quis, ubi, quando, &c.

Item si manumiserit aliquem de servis dñi sui vel dimiserit terras suas ad tenendum libere et qui tenere deberet in Villenagio, tunc quem, que tenementa tenet, per que servitia pr̄ tenuit, q̄ tūc qñ fuit manumissus.

Item de Abbatibus, prioribus, hospitalariis, ecclesiis parochialibus, capellis, que de advocationibus domini regis esse deberent de jure, & non sunt, quis advocationes illas super Regem usurpaverit, a quo tempore, et ad quod damnum regis, et quis ultimo presentatus fuit, per quem, et quantum ecclesia valet per annum.

Item de omnibus religiosis qui de rege tenent in capite, si aliquid de possessionib⁹ suis ad excambium, ad terminum, vel alio modo alienaverint, contra formā doni, eis inde factā, tūc cui, quādo, & quātū valent p annū &c.

Also of others who hold of the Crown by Grand or Petit Serjeanty, ancient Demesne of our Lord the King, Socage, Fee Farm, or by any Service, if the same Tenants have aliened or dismembered any Thing, to whom, when, how much, in what Manner, and by what Means, whether they be of any Honour, or of the Crown, and of the annual Value. And if any who hath holden of the King by antient Demesne or Socage hath changed his Tenure, and to the King's Damage, to whom, where, when, in what Manner, and by what Means, and to what Damage of the King, and how much such Tenement is worth by the Year. Tenants by Serjeanty and other Tenure.

Also if any one hath concealed any Rent, or any Service, or any Customs due to our Lord the King, then who, when, in what Manner, and by what Means, and what Services, and what Rent, and what Customs, and what Tenement they hold whereof such Services are due, and how much they are worth by the Year, and to what Damage of the King such Concealments are. Concealments of Rents or Services.

Also of Heirs, the Wardship and Marriages of whom belong to our Lord the King, and whether our Lord the King hath had them, when he ought to have them; and if any one of such Heirs hath entered without the Authority of the Court, and without lawful Proof of his Age, if within Age, and if of full Age, without doing to the King Homage, or other Service which is due to him. And then who such Heir is, at what Time he entered, and after the Death of whom, and by what Service that Inheritance is holden, and how much it is worth by the Year. Wardships and Marriages. Entry of Heirs.

Also of Widows in like Manner, whose Marriage belongeth to the King, if they have married without the King's Licence; to whom, when, by whose Consent, and to what Damage of the King, and how much the Tenements are worth which they hold in Dower of their First Husband. Marriages of Widows.

Also of Heirs who ought to be in the Ward of the King, and who hath usurped the Wardship upon the King, and from what Time, and how much the Tenements which they hold are worth by the Year. Wardship of Heirs.

Also if any one of such Heirs whose Ancestor held in Capite of the King, or of any Heir being in Ward of the King, hath married without the King's Licence, then to whom, when, and by whose Consent, and how much those Lands are worth by the Year, and how much was taken for the Marriage. Marriages of Heirs.

Also, if the Demesne Lands of our Lord the King in that Wapentake be in such a State as they ought to be, or if they be delivered to Ferm, whether they be demised according to the annual Value of the same, and if the Bailiffs or Fermors have committed Waste or Destruction, Sale, or Spoil, in the same, or in Lands being in the Hands of our Lord the King by Wardship or in other Manner, who, where, when, &c. Demesne Lands.

Also, if any one, who holdeth of the King in Capite, hath aliened any Rent, any Service, or any Customs, to the Loss of our Lord the King, and then who, where, when, &c. Alienation of Rents, Services, &c.

Also, if he hath manumitted any one of the Villains of his Lord, or demised his Lands to hold in free Tenure to any one who ought to hold in Villenage, then whom, what Tenements he holdeth, by what Services he before held them, by what then, after he was manumitted. Manumission of Villeins. Change of Tenure.

Also of Abbots, Priors, Hospitallers, and of Parochial Churches, and Chapels which ought of Right to be of the Advowsons of our Lord the King, and are not, who hath usurped those Advowsons against the King, from what Time, and to what Damage of the King, and who was last presented, by whom, and how much the Church is worth by the Year. Advowsons usurped against the King.

Also of all Men of Religion who hold of the King in Chief, whether they have aliened any Part of their Possessions in Exchange, for a Term or otherwise, against the Form of the Gift to them thereof made, then to whom, when, and how much they are worth by the Year, &c. Alienations by Men of Religion.

Usurpations by Enlargement of Liberties.

Also of those who have Liberties by Charters and ancient Royal Grants, if they have enlarged the Bounds of their Liberties and usurped on the King's Gildable, then where, who, when, what Liberties, and what they are worth by the Year.

Temporalties of Foreign Abbots, &c. in England.

Also of Abbots and Priors beyond Sea, who hold of the King in Chief, having Possessions of theirs within the Realm of England, whether our Lord the King in the Time of each Vacation hath seised their Temporalties into his Hand, and hath received the Issues arising therefrom, until the Abbots and Priors are admitted by our Lord the King, and to him, &c. of the Value, &c.

Purprestures in Highways, &c.

Also of Purprestures made upon the King's Highway, Gorses set up, any Paths obstructed or straitened, then by whom, and from what Time, and how much those Purprestures contain, and how much they are worth by the Year in all their Issues.

Felonies by the King's Tenants.

Also if any who hold of the King in Chief hath committed Felony, whether any, after the Felony done, occupied his Tenements, and from what Time, and how much they are worth by the Year.

Escheats, &c. of Bastards.

Also of Escheats of Bastards who hold of the King in Chief, and of Reversions, Dowers, and Escheats belonging to them, of what Nature they were, and who occupied such Tenements except the King, and from what Time, and how much they are worth by the Year.

Lands of Normans, &c.

Also of the Lands and Tenements of Normans, Jews, Scots, and others whomsoever, being out of the Allegiance of our Lord the King, who occupied the same, under what Colour, and in what Manner, and from what Time, and of the Value by the Year.

Subtraction of Alms, &c.

Also of all and singular Alms withdrawn in the Houses of Men of Religion, as in celebrating Masses, making Distributions, repairing Bridges, and doing other Works of Piety, from whence any Right of the King may arise in future, and from what Time they may have been withdrawn or diminished, what Possessions they obtained for the performing those Alms, and how much they are worth by the Year: And if they have alienated any of those Possessions then what, when, and of what Value.

Castles, Pillories, &c.

Also of Castles and embattled Houses, Pillories, and Tumbrels erected without the King's Licence.

Usurpers of Fines, &c;

Also of those who usurp to themselves Amercements of Bread and other Profits belonging to our Lord the King, then who they are, where, and from what Time, and how much such Matters are worth by the Year.

Of Wreck.

Also if any one hath taken Wreck of the Sea, Whales, or Sturgeons, then who, when, where, and of what Value.

Of Pontage, Pawnage, &c.

Also if any one hath usurped Pontage, Pawnage, or Warren, or any other such Liberty, without some special Deed of our Lord the King, and then who, when, and what Sort of Liberties, from what Time, and how much they are worth by the Year.

Jurisdiction of Pleas.

Also if any having Courts and Liberties by the King's Charters, have usurped to plead Pleas in their Courts which are not pleadable unless in the Courts of our Lord the King, then who, and from what Time, and to what Loss.

Alienations in Mortmain.

Also of Lands and Tenements, Knights Fees and Advowsons of Churches put in Mortmain after the Publication of the Statute made concerning the not putting Lands and Tenements in Mortmain, by any Art, Engine, Collusion, Means, or Colour, by the Villeins of Men of Religion, &c.

Of Idiots, Lunatics, &c.

Also of Natural Fools and Idiots, and those who are of non-sane Memory, and who enjoy lucid Intervals, what Manner of Tenements they have, and who have occupied them, and from what Time, in what Manner, by what Means, and how much they are worth by the Year.

Lands subject to Military Services, acquired by the Clergy.

Also if Men of Religion or Ecclesiastical Persons, since the Conquest of England, have acquired any Lands or other Tenements charged with Knights Service, or any other Service

Item de illis qui habent Libertates p chartas, & antiquas regum concessiones, si metas libertatum suarum elargaverint, & super gildabulū regis usurpaverint, tūc ubi, quis, qñ, quales libertates, et quantū valent p annū.

Item de Abbatibus, et Prioribus, transmarinis, qui de Rege tenent in capite, habentes possessiones suas intra regnum Anglie, si dominus rex tempore cujuslibet vacationis temporalia in manu sua seisiverit, et exitus inde provenientes perceperit quousque Abbates et Priores de domino Rege admittantur, et ei, &c. de valore, &c.

Item de Purpresturis super regalia strata factis, gurgitibus levatis, viis aliquibus obstructis, vel arctatis; tunc per quem, et a quo tempore, et quantum purpresture ille continent, & quantum valent per annum in omnibus exitibus.

Item si aliquis, qui de rege tenuerit in capite, fecerit feloniam, quis post feloniam factā tenementa sua occupaverit, et a quo tempore, et quantum valent per annum.

Item de escaetis Bastardorum, qui de rege tenent in Capite, & de reversionibus, dotibus, & escaetis eis pertinentibus, cujusmodi sunt, & qui talia tenementa occupaverint preter Regē, & a quo tempore, & quātū valent p annū.

Item de terris et tenementis Normannorū, Judeorū, Scotorū & aliorū quorūcūq, cōtra fidem dñi Regis existentiū, qui ea occupaverint, & quo colore, et qualiter et a quo tempore, et de valore per annum.

Item de omnibus et singulis eleemosinis subtractis in domib^{9} religiosorū, ut in missis celebrandis, & distributionibus faciendis, pontibus reparandis, et aliis piis operibus faciēdis, unde jus Regis emergere poterit in futuro, a quo tempore subtracte fuerint, vel imminute, cujusmodi possessiones obtinēt ad illas eleemosinas faciendas, & quātū valent per annū. Et si aliquid de illis possessionibus alienaverint, tunc quid, quādo, & de q^{o} valore.

Item de Castellis & domib^{9} kernellatis, pilloriis, & tūbrellis sine licentia regis levatis.

Item de illis qui usurpant sibi amerciamenta panis, et alia proficua domino Regi pertinentia, tunc qui, ubi, et a quo tempore, & quātum valent per annum.

Item si aliquis occupaverit Wreccum Maris, balenas, sturgiones; tunc quis, quando, ubi, et de q^{o} valore.

Item si aliquis usurpaverit pōtagium, pannagium, vel warrēnā, vel aliq̄ hujusmodi libertatem, sine speciali facto dñi Regis; & tunc quis, quando, et cujusmodi libertates, a quo tempore, et quantum valent per annum.

Itē si habentes curias et libertates p chartas Regis usurpaverint ad placitandum placita in curiis suis, que non sunt placitabilia nisi in curiis domini Regis, tunc qui, et a quo tempore, et ad quod damnum.

Item de terris, et tenementis, feodis militū & advocationibus ecclesiarum ad manū mortuam positis post publicationē statuti de terris et tenementis ad manum mortuam non ponendis editi, arte, ingenio, collusione, quoquo modo, seu colore per nativos religiosorum &c.

Item de fatuis naturalibus, et idiotis, & illis qui non sunt sane memorie, et qui gaudent lucidis intervallis, cujusmodi tenementa habeant, & qui ea occupaverint, et a quo tempore, qualiter, quomodo, et quantum valent per annum.

Item si Religiosi, vel ecclesiastice persone a Conquestu Anglie aliquas terras, seu aliqua tenementa de servicio militari, vel aliquo alio servicio, in defensionem

regni onerata, acquisierunt; quis remanet oneratus de illis serviciis forinsecis, et de cujuscumque feodo sunt, et si subtrahantur hujusmodi servitia, per quem, et a quo tẽpore, qualiter, et quomodo; non obstanť quod dominus Rex hujusmodi terras et tenementa in puram et perpetuam eleemosinam confirmaverit.

Item de feodis heredū infra etatem, et in custodia Regis existentium, aut de escaeta, aut acquisitione in manu Regis existentibus, si quis ea occupaverit, vel ſuper dominum Regem usurpaverit, quis, quando que feoda, qualiter, et quomodo, & quantum valent per annum.

Item de terris, et tenementis, et feodis militum forisfactis per feloniam factam, utlagationem, abjurationem, vel alio modo in casu juris, tunc qualiter forisfacta, & quātum valent per annū: et si qui ea occupaverint antequam dominus Rex inde habuerit annum, diē & vastum sine licentia Regis, tunc qui, quādo et a quo tempore, et que tenementa habuerūt tempore felonie facte.

Item de veteribus escaetis in manu domini Regis, per Escaetores suos captis, quales escaete sunt, & qui illas tenent, & a quo tempore, et quantum valent per annum.

Item de escaetis burgensiū, et infra burgū qui obierunt sine herede, et absq; legatione facta de tenementis suis secūdum consuetudinē Burgi, vel Civitatis; et de eschaetis feloniarum infra Civitatem, vel burgum, tunc cujusmodi escaete sunt, et quantū valent p annū, et qui illas tenēt et occupaverint, & a quo tempore et qualiter, et quomodo, &c.

Item de solo regis appropriato sine licentia Regis in via regia, vel alibi, per quē, quando, qualiter, et quantum valet per annum.

Item de ducentibus victualia ad Scotos, inimicos, & rebelles dñi Regis, per terram vel per aquam, vel qui eis prestaverint consiliū, auxiliū, vel favorem ad dānū dñi Regis & populi sui; tunc qui sunt, qualia tenementa tenent infra regnum Anglie, et quantū valēt p annū, & de valore catallorū eorūdem similiter.

Item de bondis & limitibus inter dñm regē & alios quoscūq; sitis, raptis, vel īmutatis, tunc ubi, et per quem, ad quod damnū Regis.

Item de Mercatis, Nundinis, Tolnetis, transversis, & cōsuetudinibus injustis sine licentia regis levatis, tunc ubi, quando, et a quo tempore, et quantum valent per annum.

Item si aliquis dederit tenementa sua aliquibus religiosis, vel ecclesiastice persone, sibi & ecclesie sue, ut illa tenementa reassumat tenenda de eisdem, tunc que tenementa modo predicto contulerūt, cuī, quando, qualiter, et quomodo, et quantum valent per annum.

Item de tenementis Archiepporū, Epporū, Abbatū, & Priorum qui fuerint dānati p felonia facta tempore vacationis, dū temporalia fuerint in manu dñi Regis, tunc que tenementa tunc temporis tenuerunt, et qui ea ingressi sunt, et de quibus tenentur, et per que servitia, et quantum valent per annum.

for Defence of the Realm; who remaineth charged with those Foreign Services, and of whose Fee they are, and if such Services be withdrawn, by whom, and from what Time, in what Manner, and by what Means: Notwithstanding that our Lord the King may have confirmed such Lands and Tenements in pure and perpetual Alms.

Fees of Infants usurped against the King.

Also of Fees of Heirs who are within Age and in Ward of the King, being in the King's Hand either by Escheat or by Purchase, if any one hath occupied them or usurped them against our Lord the King, who, when, what Fees, in what Manner, and by what Means, and how much they are worth by the Year.

Lands forfeited by Felony, &c.

Also of Lands and Tenements and Knights Fees forfeited by Commission of Felony, Outlawry, Abjuration, or otherwise by Act of Law; then in what Manner forfeited, and how much they are worth by the Year, and if any have occupied them before that our Lord the King had the Year, Day, and Waste thereof, without Licence of the King, then who, when, and from what Time, and what Tenements they had at the Time of the Felony committed.

Ancient Escheats.

Also of ancient Escheats seised into the King's Hands, by his Escheators, what Manner of Escheats they are, and who hold them, and from what Time, and how much they are worth by the Year.

Escheats in Cities and Boroughs.

Also of the Escheats of Burgesses, and those within Borough, who have died without Heir, and without Legacy made of their Tenements according to the Custom of the Borough or City; and of Escheats of Felons within City or Borough, then what Sort of Escheats they are, and how much they are worth by the Year, and who hold and occupy them, and from what Time, and in what Manner, and by what Means.

Highways appropriated.

Also of the King's Soil appropriated without Licence of the King, in the King's Highway, or otherwise, by whom, when, in what Manner, and how much it is worth by the Year.

Aiders of the Scots being Enemies.

Also of those who carry Victuals to the Scots, Enemies and Rebels of our Lord the King, by Land or by Water, or who have afforded them Counsel, Aid, or Favour, to the Damage of our Lord the King and of his People; then who they are, what Manner of Tenements they hold within the Realm of England, how much they are worth by the Year, and of the Value of the Chattels of such Persons in like Manner.

Bounds of the King's Lands, &c.

Also of the Bounds and Limits situate between our Lord the King and others whomsoever, taken away or changed, then where, and by whom, and to what Damage of the King.

Tolls, &c. usurped.

Also of Markets, Fairs, Tolls, Passage-Monies, and Customs, unjustly levied without Licence of the King, then where, when, and from what Time, and how much they are worth by the Year.

Conveyances to Religious Persons to re-hold of them.

Also if any one hath given his Tenements to any Men of Religion or Ecclesiastical Person, to him and his Church, that he might resume those Tenements to be holden of the same Persons, then what Tenements they conveyed in Manner aforesaid, to whom, when, in what Manner, by what Means, and how much they are worth by the Year.

Lands of Bishops, &c. condemned for Felony

Also of the Tenements of Archbishops, Bishops, Abbots, and Priors, who were condemned for Felony done in the Time of Vacation, while their Temporalties were in the King's Hands, then what Tenements they at that Time held, and who have entered them, and of whom they are held, and by what Services, and how much they are worth by the Year.

Extenta Maneriі.*

For Extending or Surveying a Manor.

Directions for making Survey of a Manor.

The Buildings.

FIRST, It is to be inquired of the Castles, and also of other Buildings compassed about with Ditches, what the Walls, [Buildings, Timber, Stone, Lead, and other manner of covering is [1]] worth, and how they may be prized according to the very Value of the same Walls and Buildings; and for how much the Buildings without the Ditch may be prized, and what they be worth, with the Gardens, [Curtilages,] Dove-houses, and all other Issues of the [Court[2]] by the Year.

Demesne Lands.

It is to be inquired also, how many Fields are of the Demesnes, and how many Acres of Land are in every Field, and what every Acre is worth by the year; [and [3]] how many Acres of Meadow are of the Demesnes, and how many be in a Field, and how much every Acre by itself is worth by the Year to be let; also how many Acres of Pasture there be, and for what Beasts or Cattle the same Pasture is most necessary, and how many it will find, and of what manner, and what the Pasture of every Beast is worth to be let by the Year.

The foreign Pasture.

Also it is to be inquired of Foreign Pasture, that is Common, how many, and what Beasts and Cattle the Lord may have in the same, and how much the Pasture of every Beast is worth by the Year to be let.

The Parks and demesne Woods.

Also it is to be inquired of Parks, and Demesne Woods, which the Lord may [assert [4]] and improve at his Pleasure, and how many Acres they contain, and how much the Vesture of an Acre is worth; and how much the Land is worth after the Wood is felled, [and how many Acres it containeth,] and how much every Acre is worth by the Year.

Foreign Woods.

Also it is to be inquired of Foreign Woods, where other Men have common, and how much the Lord may improve to himself of the same Woods, and how many Acres, and for how much the Vesture of every Acre may be valued at, and how much the Ground is worth yearly after that the Wood is felled; and how many Acres it containeth, and what every Acre is worth by the Year.

And it is to be enquired, whether the Lord may [give or sell [5]] any Thing of the Residue of the foresaid Woods and what such Gifts and Sales are worth by the Year.

Pawnage, Herbage.

Also it is to be inquired of Pawnage, Herbage [of the Town,] Honey, and all other Profits of [Forests, Woods [6]] [Rivers,] Moors, Marishes, Heaths, Turbary, and Waste, and how much [it is [7]] worth by the Year.

Mills, and Fishings.

Also of Mills, ([8]) Fishings several and common, what they be worth by the Year.

Freeholders.

Also it is to be inquired of Freeholders, the which dwell without, as well as within, that is to say, how many Freeholders there be, ([9]) and what manner Lands and Tenements, and what Fees they hold, and by what Services, whether it be by Socage, or Knights Service, or otherwise, and what they are worth, and pay yearly of Rent of Assise, and who hold by Charter, and who not, and who by old Tenure, and who by new Feoffment. Also it is to be inquired of the said free Tenants, which do follow the Court of the County, and which not, and what and how much falleth to the Lord after the Death of such free Tenants.

[1] *and buildings of Timber and Stone, covered with lead or otherwise, are*
[2] Court-Yards
[3] *Also it is to be enquired*
[4] assart
[5] *dispose of*
[6] *Vivaries*
[7] *they are*
[8] *and*
[9] *and who they are,*

Ex Lib. Horn. London, fo. 155 b.

([1])INQUIRENDUM est de Castris et aliis edificiis fossatis circumdatis, q[n]tum muri ([2]) edificia lignea et lapidea, plumbo vel alio modo cooperta, valeant, et pro quanto p̄ot̄unt apreciari s̄cd̄m verum valorem eo᷒dem muro᷒ & edificio᷒; Et pro quanto edificia ex[a] fossatum p̄ot̄unt apreciari, et q[n]tū valeant, una cum Gardinis Columbariis & omnib᷒ aliis exitib᷒ Cur̄ p annū.

¶ Item inquirendū est quot Campi sunt in dn̄ico, et quot ac̄ r̄e sunt in campo, & quantū valet quelib᷒ acra per se per annū; Ītm inquirendū est quot acre prati sunt in dn̄ico, ([3]), et quantū valet quelib᷒ acra ad locandum per se per annū; ([4]), & ad [huj᫝mōi [5]] bestias & animalia pastura illa fūit mag̃ nc̄cia, & quot & quales possit sustinere, & q[n]tū valet pastura cuj᫝libet bestie & animalis per se per annū ad locand.

¶ Item inquirendū est de pastura forinceca que est cōis, quot & quas bestias & quot animalia et que dn̄s [Rex [6]] habere possit in eadem, & quantū valeat pastura cuj᫝lib᷒ bestie & animalis per annū, ad locandum. Item inquirendum est de parcis & dn̄icis boscis, que dn̄s ad voluntatem suam p̄ot̄it assartare et excolere, & quot acras in se contineant, & pro quanto vestura cujuslib᷒ ac̄r p̄ot̄it apreciari & quantum fundus in se contineat & valeat quando prostratus fūit, & quantū valet quelib᷒ acra per se per annū.

¶ Item inquirendū est de bosc̄ forinsecis ubi alii cōmunicant, quid de eisdem bosc̄ dn̄s sibi possit appruare, et de quot acris, & pro quanto vestura cuj᫝libet acre cōmuni᫝ possit appreciari, & quantum fundus valeat qū prostratus fūit; ([7]).

¶ Item inquirendum est utrum dn̄s de Residuo bosco᷒ predict᷒ forinseco᷒ dare possit & quantū valeant huj᫝modi donaciones et vendiciones per annū. ¶ Item inquirendū est de Pannag̃, h̄bag̃, melle [o᫝ibus,[8]] & omnib᷒ aliis exitib᷒ vivario᷒, mariscо᷒, mora᷒, Bruo᷒, Turbaria᷒, & vasto᷒, & quantū valeant per annū. ¶ Item de Molendinis & Piscariis sepalibus & cōib᷒, quantum valeant per annū. ¶ Item de libere Tenentib᷒ quibuscumq᷒ & forincecis vel extrinsecis, Inquirendū est quot sunt libere Tenentes, & qui, & quas t̄ras & que tenementa & que feoda teneant, & per quod serviciū, utrum per Sokag̃ vel serviciū militare vel alio modo, & quantū valeant per annū & reddant per annū de Redditu ass̄; Et qui tenent per cartam, & qui non, & qui tenent p antiquā tenuram, & qui per novū feoffamentū. Inquirendū est de pred̄cis libere tenentib᷒ & qui secunt̄ Cur̄ de Com̄ in Com̄ & qui non & quid & quantū accidit dn̄o post mortem taliū libere tenenciū.

[1] Imprimis *MS. Cott.* [2] et, *MS. Cott.*
[3] et quot sunt in campo, *MS. Cott.*
[4] item quot acra pasture, *MS. Harl.*
[5] cujusmodi, *MSS. Cott. & Harl.*
[6] *MSS. Cott. & Harl.* omit.
[7] et quot acras in se contineat, & quantum valeat quelibet acra per se per annum, *MS. Harl.*
[8] oleribus *MS. Cott.*

* This is inserted in the Printed Copies as a Statute of 4 Edw. I. The Various Readings are from *MS. Harl.* 395; and *MS. Cott. Claudius D. II.* from the latter of which the Copy in Cay's Edition was printed.

¶ Item Inquirendum est de Custumariis quot sunt Custumarii, & quantū ꝑre quilibꝫ Custumarius teneat, & que opera & quas conſ faciant, & quanť valeant opera & conſ cuj⁹libꝫ Custumarii per se ꝑ annū, & q'ntum reddat de redditu asſ ꝑ annū pre⁹ opera & consuetuđ, & qui possint talliari ad voluntatem dñi & qui non. ¶ Item inquirendum est de Coterellis, que cotag̃ & Curtulagia teneant, per quod serviciū, & quantū reddant ꝑ annū, pro predictis Cotagiis & Curtulagiis. ¶ Item inquirendum est de placitis & perquisiť Comitatuū & Cuť Forestať cum expeditacione canū, & quantū valeant per annū in omnibꝫ exitibꝫ. ¶ Item Inquirendū est de ecclis que ꝑtinent ad donacionem dñi, quot & que sunt, & ubi, & quantum quelibet ecclia valet per annū per se ſcđm veram estimacionem illius. Item Inquirendum est quantum valeant Heriota, Nundine, [Mercheta,'] Consuetudines & servicia, Opaciones & conſ forincece; & quantum valeant placita & perquisita, Fines & Relevia, & omnia alia casualia que accidere possunt in omnibus per annū, &c.

[1] Mercate, Ferie, *Printed Copies.*

It is to be inquired also of customary Tenants, that is to wit, how many there be, and how much Land every of them holdeth; what Works and Customs he doth, and what the Works and Customs of every Tenant be worth yearly, and how much Rent of Assise he paid yearly besides the Works and Customs, and which of them may be taxed at the Will of the Lord, and which not. Customary Tenants.

IT is also to be inquired of Cottagers, that is to say, what Cottages and Curtelages they hold, and by what Service, and how much they do pay by the Year for all their Cottages and Curtelages. Cottages and Curtelages.

IT is also to be inquired of Pleas and Perquisites of the Counties and of the Courts of the Forests, with Lawing of Dogs, and how much they be worth by the Year in all Issues. Perquisites of Courts; Lawing of Dogs.

IT is also to be inquired of Churches that belong to the Lords Gift, how many there be, and what, and where, and how much every Church is worth by the Year, after the true Estimation of the same. Patronages of Churches.

IT is also to be inquired, what be the Value of Herriots, Fairs, Markets, [Eschetes,'] Customs, Services, and foreign Works and Customs; and what the Pleas and Perquisites [of Courts,] Fines, and Reliefs, and all other Casualties are worth by the Year, that may fall in any of these Things. Liberties, Customs, Services, &c.

[1] Not in Original.

Consuetudines ⁊ Assise de Foresta.*

The CUSTOMS and ASSISE of the FOREST.

Ex MS. Lansd. 480, *fo.* 195.

SI quis forestarius invenit aliquem attachiabilem ꝑ viridi in foresta, primo debet ipm attachiare ꝑ duos pleg̃ si sint ꝑsentes, sin autem, duci debet ad ꝑx villam ubi inveniant'. Et si idem inveniat' alias debet ipm attachiare ꝑ quatuor pleg̃; Et si ꝑcio, coram viridariis debet ꝑsentari & poni ꝑ octo pleg̃, postea post terciū attachiamentū corpus debet attachiari & retineri; ut memoria ħeatur qđ virid sit, Sciend qđ oēs arbores fructum non portantes, & hec que fructum portant ꝑ totū annū & fraxinus si antiquitus fuint in foresta & arabit q, dñs Rex est in seisina. Si quis inventus fuit ext[a] dñicum boscum & infra rewardum, ꝑsternens quarcum sine visu aut libacõe forestarii aut viridarii, debet attachiari ꝑ quatuor pleg̃ & ꝑ visum viridať debet quarcus appciari & in rotul forestať & viridať nōia pleg̃ imbri. Si quis inventus fuit in dñico dñi Regis assartando vel p'presturam faciendo corpus debet ꝑtinus retineri. Si autem ext[a] dñicum infra rewardum debet poni ꝑ sex pleg̃. Et si alias inveniat' debet duplicare ejus pleg̃. Si ꝑcio, corpus debet retineri. Si quis attachiabilis fuit cont[a] vad & pleg̃ debet distringi ꝑ catalla sua infra metas foreste invēta; Si autem defecint corpus ejus detineat' quousq, fecit quod debuit; Et si ext[a] metas foreste fuit manens, nomen ejus & villa unde sit irrotulent': Libacio autem housbote & haibote fiat ꝑt boscus pati potest in statu quo est, & non ad exigenciam petentis, nec potest aliquid dare nec vendere de bosco sine waranto dñi Regis.

IF any Forester shall find any Man attachable for Green-hue in his Forest, first he shall attach him by Two Pledges, if they be to be found, if not, he shall be brought to the next Town where they may be found. And if [they be afterward '] found, he shall attach him by Four Pledges. And if the Third Time, he shall be presented before the Verdors, and be put by Eight Pledges; afterward after the Third Attachment his Body shall be attached and retained; [for a Remembrance that he is a Verdor. Know [2]] that all Trees not bearing Fruit, and those which bear Fruit at any Time in the whole Year, and an Ash if he be old [shall remain in the Forest, and Arable,'] because our Lord the King is in Possession. If any Man shall be found felling an Oak without the Demesne Wood, and within the Precinct, without the View or Delivery of the Forester or Verdor, he shall be attached by Four Pledges, and by the View of the Verdor the Oak shall be appraised, and the Names of the Pledges shall be written in the Roll of the Foresters and Verdors. If any Man shall be found in the King's Demesnes assarting or doing Purpresture, his Body shall be forthwith retained; but if without the Demesnes within the Precinct he shall be put by Six Pledges; and if he be afterward found he shall double his Pledges; if the Third Time, [he shall retain his Body.[4]] If any Man attachable do refuse to put in Sureties and Pledges he shall be distrained by his Cattels found within the Bounds of the Forest; but if he have none, his Body shall be detained until he have done that which he ought; and if his Abode be without the Bounds of the Forest, his Name and his Place whence he is shall be inrolled. But Delivery of Housbote and Haybote shall be made [as the Wood-seer may suffer the same to remain [5]] in the State in which it is, and not at the Request of the Demandant; neither may he give nor sell any Thing of the Wood without the King's Warrant. Attachments for Vert. Assart, and Purpresture. Sureties by Parties attached. Housebote, Haybote.

[1] *be be again*
[2] *That it may be remembered what is Green-hue, It is to be known*
[3] *being in the Arable Land within the Forest*
[4] *his Body shall be detained.* [5] *according as the Wood will allow*

* A Copy of Part of this Instrument was printed in Cay's Edition from *MS. Cott. Vesp. B. VII.* where it is intituled 'Articuli de attach Foreste.' The Deficiencies of that Copy were supplied by Cay, from some other Manuscript not specified, and from the Old Editions of the *Secunda Pars Veterum Statutorum.* The Translation is from Rastall's English Collection 1603, where it is placed after *Ordinatio de Foresta* 33 Edw. I. In Manwood's Forest Laws this Instrument is quoted as of 6 Edw. I.

Deer found dead. If any Deer be found dead or wounded there shall be an Inquisition made by [Six [1]] of the next Villages to the Forest which shall be written in the Roll; the Finder shall be put by Six Pledges and the Flesh shall be sent to a Spital House, if by Testimony of the Verdors and the Country there be any nigh; but if there be no such House near, the Flesh shall be given to the Poor and Lame, the Head and Skin shall be given to the Poor of the next Town, and the Arrow, if there be any found, shall be presented to the Verdor, and inrolled in his Roll. If there be any Greyhounds found running to do any Hurt, the Foster shall retain them, and present them in the Presence of the Verdor, and send them to the King or Chief Justice of the Forest. If any Mastive be found upon any Deer and shall be [musled,[2]] he whose Mastive he is shall be quit of the Deed; but if he be not [musled [2]] the Owner of such Mastive shall be guilty, [as if he had given it him with his Hand,[3]] and he shall be put by Six Pledges, whose Names shall be written, and also what Dog it was. If any Man take Deer in the Forest without Warrant, his Body shall be arrested wheresoever he be found within the Bounds of the Forest; and when he is taken, he shall not be delivered without special Commandment of the King, or of the Chief Justice of the Forest. If any see any misdoers within the Bounds of the Forest, to take or carry away any Deer, he shall do what he may to take them, and if he cannot he shall levy Hue and Cry, and if he do not so he shall remain in the King's Mercy. If any Woodward shall see Misdoers within his Wardship, or shall see a dead Wild Beast, he shall shew him to the Chief Foster or Verdor, and if he do not, and the Foster of our Lord the King find such a Fault in his Wood within the Precinct, that Wood shall be taken into the King's Hands by the King's Commandment, or of his Chief Justice, and the Woodward is to be attached by Four Pledges. If any Man shall have a Wood against the Demesne Wood of our Lord the King, it is lawful for him after that the Demesne Hedges are agisted, to have in the Time of Pawnage so many Swine as the Wood may suffer, by the View of the Foster, Verdor, Regardor, Agistor, and other lawful Men, and this shall be done of the Profit of the Swine. Know that in the Time of Pawnage, when the Agistment ought to be made, the Fosters, Verdors, and Agistors ought to crave the Assent of the Justices of our Lord the King's Forest, and seek their good Will, and the Agistment shall be made as well within the Demesne Hedges and Woods as without, and the Agistment shall be made according to their Commandment, and Tenour of their Letters, which Letters he shall have before the Justices of the Forest in the next Circuit. And it is commanded, that hereafter be taken for every Hog as much as may be, to the Use of our Lord the King for Pawnage, that is to say, One Penny or ii d. but of little Pigs there shall be no more paid then was before. If any Man of another County put or willingly suffer his Cattle to go within the Bounds of the Forest, the Foster may retain the Cattle by Sureties and safe Pledges, which if he cannot do, by the Testimony of the Verdors he shall shew the Sheriff of the County thereof, that he may make Distress until he find Pledges; if the Sheriff do it not the Foster shall shew the same to the Justices. No Mower shall bring with him a great Mastive to drive away the Deer of our Lord the King, but little Dogs [to look to such Things as lie open.[4]] Of those which claim to have Privileges, as Dogs [without Claws,[5]] and Greyhounds, within the Bounds of the Forest, they shall have nothing to do without our Lord the King's Warrant, or his Justices. A Wood remaining in the Hands of our Lord the King by One Year and One Day, it is in the King's Pleasure, except it be recovered by the Judgement of the Justices. All the Bounds of the whole Forest are the King's.

Greyhounds.

Mastives.

Deer-stealers.

Hue and Cry after Offenders.

Duty of the Woodward.

Agistment of Woods.

Pawnage.

Cattle of Persons not of the County.

Mowers' Dogs.

Privileged Persons.

Woods in the King's Hands.

Bounds.

[1] *Four*

[2] *expeditated*.

[3] *as if he had done the deed with his own hand*

[4] *to wait without the Covert.*

[5] *not lawed*

Si aliqua fera inveniat' mortua vel vulñata debet fieri inquisicio p quatuor villatas ꝑpinquiores foreste que content' in rotulo; Inventor ponat' p sex pleg̃ & caro mittat' ad domū leprosi si qua ꝑpe fuit p testimoniū viridar̃ & patrie; Si autem nulla talis domus ꝑpe sit caro debet dari infirmis & paupibꝫ; Capud & pellis tradant' libis ꝑx̃ ville; Et sagitta si qua inventa fuit ꝑsentet' viridar̃ & in rotulo suo irrotulabit'. Si leporarii inventi fuint currentes ad aliquod nocumentum, forestar̃ debet eos retinere & ꝑsentare in ꝑsencia viridar̃, & mitte eos dño Regi vel capitalibꝫ Justic̃ foreste. Si quis mastivus inventus fuit sup aliquam feram & mutilatus fuit ipe cujus erat quietus [1] de illo fco; Si non fuit mutilatus, ipe cujus fuit mastivus erit culpabilis tanq̃m de manupasto, Et debet poni p sex pleg̃ quoꝝ nōia debent imbr̃i & eciam qualis fuit canis. Si q̃s cepit feram sine Waranto in foresta corpus suū arestet' ubicumq; inveniat' infra metas foreste; Et quando captus fuit non deliber' sine sp̃ali ꝑcepto dn̄i Regis vel Capitalis Justic̃ foreste. Si quis viderit aliquos malefc̃ores infra metas foreste aliquam feram cape vel apportare, debet illos cape secundum posse suū; Et si non possit, debet levare hutes̃ & crie, et si non fecerit remaneat in mia dn̄i Regis. Si quis Wodewardus viderit malefc̃ores in sua custodia, vel feram bestiam viderit mortuam, debet monstrare Capitali forestar̃ vel viridar̃, et si non fecit, & forestar̃ dn̄i Regis tale delictum in bosco suo infra rewardum invenit, ille boscus capiend est in manū dn̄i Regis p ꝑceptum Reg̃ vel Capitat Justic̃ sui, et Wodewardus attachiab est p quatuor pleg̃. Si quis fuerit boscum juxta dn̄icum boscum dn̄i Regis, licitum est ei, postq̃m dn̄ce fuie agistate sunt, here tempore pannagii tot porcos quot boscus p visum forestar̃ & viridar̃ Regardatoꝝ agistatoꝝ & alioꝝ ꝑboꝝ hōim possit pati, & hoc fiat de exitu porcoꝝ. (2). Sciend qd tempore pannagii quando agistamentū debet fieri, debent forestar̃ viridar̃ & agistatores p cōem assensum intimare Justic̃ foreste dn̄i Regis, & ip̄i inquirere voluntatem, & fiat agistamentū tam in dn̄icis hais boscis q̃m in forinsecis; et fm̄ mandatum suū & tenorem ira debet fieri agistamentum, quas ira debet here coram Justic̃ de foresta p̃x̃ itinantibꝫ. Et ꝑceptum est qd deinceps capiat' p quolt porco q̃ntum potest ad opus dn̄i Regis p pannagio videlt unus vel duo denarii. De porcell autem fiat sicut ꝑsolutum est. Si quis in alio Com̄ posuit vel voluntarie ꝓmiserit avia sua ire infra metas foreste, Forestar̃ retineat avia p vad & salvos pleg̃, qd si non portit, p testimoniū viridar̃ debet vic̃ illius Com̄ intimare ut ipe districc̃oem faciat quousq; pleg̃ invenit. Si Vic̃ non fecit debet Forestarius hoc intimare Justic̃. Nullus messarius ducat secum mastivū magnū ad fugand feras dn̄i Reg̃, set pvos catulos ad exspectand ext' cooptum. De hiis qui clamant here libtates, sicut canes inexpeditatos & leporarios infra metas foreste, nichil eis faciend est sine Waranto dn̄i Regis vel Justic̃ suoꝝ. Buscus remanens in manu dn̄i Regis p unū annū & unū diem in voluntate Regis est nisi recupet' p judiciū Justic̃. Om̄es mete foreste integre sunt dño Regi.

[1] erit *Printed Copies.*

[2] *MS. Cott. Vesp. B. VII.* ends here.

Licitum est Abbi de Burgo sci Petri venare & cape lepores vulpes' & mureligos infra metas foreste, & here canes inexpeditatos, quia sufficientem inde het Warantiam. (1) Quandó viridarii ceperint inquisicoem unus apponat sigillū & alius rotulum teneat, & sic de fortuna in fortunam usq, ad adventum Justic; tunc primo die ipi & omes Ministri psentabunt rotulum aut ancient'; et manucapti p foresta eodem die pferant' aut manucapcio incurrat'. Homo attachiatus p ramis cesis ptium illud ptinet ad Swaynimotum coram Senescallo, et attachiatus p quarcu pstrata in dnico Regis vel alius ptinet coram Justic; et si noctant alicubi fecit jacet imprisonamentum; Attachiat ad Swaynemotum p viridi non psentato ad px, ad aliud psentacio non pjudicet, set capiet' ad forestar p concelamento & eat attachiatus quietus p assisam. Si Forestarius in dnico bosco Regis consenciat delicto capiat Rex suo supiori, & sibi si [supstes[2]] sit; boscus vastatus ad quodit it Justic dabit dño Regi dimid marcā.

[1] Sciendum quod Dominus Petrus de Monteforti nullum habet Warrantum, quin possit fieri attachiamentum in bosco suo. Sciendum quod Justiciariis precipitur, quod si quis hominum Episcopi Lyncolñ intret in boscum suum forinsecum extra parcum, corpus suum retinendum est; et ille boscus remaneat in manu dñi Regis pro defectu forestar. *Cay.* [2] sufficiens *Cay.*

It is lawful to the Abbot of the Borough of Saint Peter to hunt and to take Hares and Foxes (1) within the Bounds of the Forest, and to have unlawed Dogs, because he hath sufficient Warrant thereunto. When Verdors have taken an Inquest one shall set to his Seal and the other shall keep the Roll, and so from Time to Time until the coming of the Justice: Then the first Day he and all the Ministers shall present the Roll, or else they shall be amerced; and [Mainpernors that Day shall be profered for the Forest.[2]] A Man attached for cutting of Boughs, that Plea appertaineth to the Swanimote before the Steward; and a Man attached for felling of an Oak in the Demesne of the King, or of any other [Tree,[3]] it belongeth to be tried before the Justices; and if he do it [to any Man[4]] in the night Time he shall be imprisoned. A Man arrested [to the[5]] Swanimote for Green-Hue and not presented at the next, at another Time the Presentation shall not hurt him, [but shall be taken as a Fault in the Foster[6]] for the Concealment, and he that is attached shall go quit by Assise. If a Foster do agree unto an Offence in the Demesne Woods of the King, the King shall take [from him his Office.[7]]

Privilege of the Abbot of Peterboro'.

Inquests by Verdors.

Pleas, at the Swanimote;

before the Justices.

Connivance of Foresters.

[1] *and Martrons*
[2] *Persons delivered to Mainprise in respect of the Forest, shall on the same Day be produced, or the Manucaption shall be forfeited.*
[3] *Person,* [4] *any where* [5] *at one*
[6] *the Forester shall be punishable*
[7] *to his Superior, and to him if he be sufficient; Wood found wasted at every Eyre of the Justice shall pay to our Lord the King half a Mark.*

Articuli Inquisic' super Statut' Wynton'.*

ARTICLES of Inquiry, upon the Statute of Winchester.

Ex MS. Harl. 858, *fo.* 35.

MODUS inquirendi de statuto Wyntoñ quando observat' & in quibs [casibus[1]] non; et qui ea ex statuto edita noluerunt observare, aut qui ea observare non pmiserunt. De feloniis & roberiis fcis post Pascha, anno regni reg Edwardi [ciodecimo,[2]] et qualit de roberiis fcis, & ubi, & p quos dce roberie fce fuerunt; et qualiter secte, (3) scdm tenorem statutoz postmodum inde fce sunt: Et si de corporibs hujusmodi malefcoz hucusq, vicecomites responderint vel non, scdm statutum. Item si porte Civitatum aut magnoz Burgoz clause sint ab occasu solis usq, ad ortum. Et si aliqui extranei hospitati fuint in suburbio vel in forinseca pte ville nisi de die, et tunc tales p quibs hospes volut respondere; et etiam qualit ballivi & Ministri villaz fecint inde inquisicoem. Et si vigilie fce fuint, secdm qd continet' in pdco statuto vel non. Et si vigilatores debito modo fecint vigiliam: Itm si regales vie de villis incandisis, (4) elargate sint tam in [boscis[5]] dnicis dñi Regis, q'm alibi put statuit'; et si non sunt elargate, que vie, & ubi sint, et qui eas debuerunt elargasse, et qui elargacoem impediūt, tam in parcis q'm in aliis boscis.

[1] ptibus *MSS. Harl.* 1120: 667.
[2] quartodecimo *MSS. Harl.* 1120: 667; 867.—*Rot. Pat.* 15 *Edw. I. acc.* [3] per Inquisitiones *Printed Copies.*
[4] usq, ad vill incand *MS. Harl.* 1120: 667; *Printed Copies.*
[5] villis *MS. Harl.* 657, 869, 1120; *Printed Copies.*

THE Manner of inquiring upon the Statute of Winchester; when it is observed, and when not; and of such as have (1) observed the said Statute, [and[2]] of such as have not suffered the Contents thereof to be observed. Of Felonies and Robberies committed after Easter the [Thirteenth[3]] Year of the Reign of King Edward, and in what Manner such Felonies were done, where and by whom done; and (4) the Suits by Inquests according to the Tenor of the Statutes [made thereupon after;[5]] and if the Sheriffs have answered for the Bodies of such Offenders or not (6). And if the Gates of the Cities or Great Towns were shut from the Time of the Sun going down, until the Sun rising. And if any Strangers [or their Chattels[7]] were lodged in the Suburbs, or in the Outparts of the City, but in the Day [for whom their Hosts would not answer;[8]] and also how Bailiffs and other Officers of Towns have made Inquiry thereof. And if Watches have been kept in such Sort as is contained in the said Statute or not; and how the Watchmen have kept their Watch. And if the King's Highways from one Market Town to another be enlarged, as well in our Lord the King's own [Woods,[9]] as elsewhere, according to the Statute; and if they be not enlarged to enquire what Ways, and where they be, and who ought to have enlarged them, and of such as do hinder such Enlargements, as well in Parks as in other Woods.

Mode of Inquiry on Statute of Winchester: Chapters 1, 2, 3.

Chapter 4.

Chapter 5.

[1] *not* [2] *or* [3] *fourteenth* [4] *in what manner*
[5] *were afterwards thereupon made;* [6] *according to the Statute*
[7] Omit these Words.
[8] *and then such for whom their Host would answer;* [9] Towns,

* This Title is from the Old Printed Copies, which attribute these Articles to the Time of Edw. I. In most of the English and modern Editions they have been inserted as Stat. 2. of 34 Edw. I; but in the several MSS. quoted they follow immediately after the Statute of Wynton. In *Rast.* 1603 is a Note, 'This seemeth not to be any Statute.' On *Rot. Pat.* 15 *Edw.* I. *m.* 13. is an Entry of a Commission by Letters Patent, intituled in the Margin 'De militibs assignatis ad articlos in statuto p conservacoe pacis edito contentos obsvandis, &c.' The Commission is directed to W. de Stickeland and R. de Engleys, and bears teste 'Edm. Com. Cornub consanguiñ Reg apud Westm xx. die Januarii.' It directs particular Enquiry to be made in the County of Westmorland as to the Execution of the Statute of Winchester: and a Writ is subjoined to the Sheriff to summon Juries to enquire accordingly. Like Commissions and Writs were sent into Thirty-one other Counties. On *Rot. Claus.* 3 *Edw. II. m.* 7. also is an Entry of a Writ to W. de Saint George, W. de Sanston, and the Sheriff of Cambridge, intituled in the Margin 'De articulis Statut Wyntoñ obsvandis.' The Writ recites that a Commission had been then lately granted, to enquire into the Observance of the Statute, which Commission had not been duly enforced, and the Writ requires that the same shall be executed according to the Articles in the Commission contained. Like Writs were sent into Thirty-seven other Counties. In Cay's Edition an imperfect Copy of the Articles in the Text was given, '*E perantiquo MS.*'

Stat. Wynt. Chapter 6.

Alſo if all between the Age of Fifteen and Sixty be sworn to keep the Peace: Also if they have Weapons in their Houses, according to the Quantity of their Lands and Goods, for Maintenance of the Peace according to the Statute. And also if Constables do make View of Armour in due Manner, and of other Things belonging to their Office or not. Also if Sheriffs, Hundredors, Bailiffs of Liberties and Foresters have come at Huy and Cry levied, and if they have made pursuit for keeping the King's Peace, according to the Statute, or not.

Item si omnes int̄ quindecim annos & sexaginta sint jurati ad conservac̄oem pacis; et si h̄eant arma in domib̄ suis, sc̄dm quantitatē terre & catallo̅ suo̅, p̄ conservac̄oe pacis, p̄ut statuit'. Item si Constabularii fec̄int debito modo visum armo̅ & alia que spectant ad eo̅ officiū, nec ne. Et si Vicecomites, Hundredarii, & Ballivi lib̄tatum, & Forestarii ad Hutesiū ven̄int, et si p̄secuti fu̅int p̄ pace dn̄i Regis, vel non, sc̄dm statutum.

Visus Franciplegii.*

The View of Frankpledge.

Ex MS. Cott. Claudius D. II. fo. 236.

Suitors.

FIRST, You shall say unto Us by the Oath which you have made, if all the [Jurors [1]] that owe Suit in this Court be come, ([2]), and which not.

Chief Pledges.

2. And if all the Chief Pledges, [or their Dozeins [3]] be come, as they ought to come, and which not.

Decenners.

3. And if all [the Dozeins [4]] be in the Assise of our Lord the King, and which not, and who received them.

Villeins, Fugitive;

4. And if there be any of the [King's [5]] Villeins fugitive, dwelling otherwhere than in the King's Demeans; and of such as be within the King's Demeans, and have not abiden ([6]) a Year and a Day.

or in Foreign Frankpledge.

5. And if there be any of the Lords Villeins in Frankpledge, otherwhere than in this Court.

Customs withdrawn.

6. Of Customs and Services due to this Court withdrawn, how and by whom, and in what Bailiffs' Times.

Purprestures.

7. Of Purprestures made in Lands, Woods, and Waters, to Annoyance.

Nusances.

8. Of Walls, Houses, Dikes and Hedges, set up or beaten down to Annoyance.

Boundaries.

9. Of Bounds withdrawn and taken away.

Ways.

10. Of Ways and Paths [opened or stopped.[7]]

Waters.

11. Of Waters turned or stopped, or brought from their right Course.

Burglars.

12. Of Breakers of Houses, and of their Receivers.

Felons.

13. Of Common Thieves and their Receivers.

Thieves and their Messengers.

14. Of petty [Larons [8]] as of Geese, Hens, or Sheafs ([9]).

15. Of Thieves that steal Clothes [or of Thieves that do pilfer Cloths through Windows and Walls.[10]]

16. Of such as go on Message for Thieves.

Hue and Cry.

17. Of [Cries [11]] levied and not pursued.

Frays.

18. Of Bloodshed and of Frays made.

Escapes.

19. Of Escapes of Thieves and Felons.

Outlaws.

20. Of Persons outlawed returned, not having the King's Warrant.

Rapes.

21. Of Women ravished *not* presented before the Coroners.

Coiners.

22. Of Clippers and Forgers of Money.

Treasure-trove.

23. Of Treasure found.

Assise of Bread.

24. Of the Assise of Bread and Ale broken.

Measures, &c.

25. Of false Measures, as of Bushels, Gallons, Yards and Ells.

26. Of false Balances and Weights.

27. Of such as have Double Measure, and buy by the Great, and sell by the less.

Idlers.

28. Of such as continually haunt Taverns, and no Man knoweth whereon they do live.

29. Of such as sleep by Day, and watch by Night, ([12]) and have nothing.

Clothiers, Curriers, &c.

30. Of [Cloth-Sellers [13]] and Curriers of Leather, dwelling out of Merchant Towns.

[1] Suitors
[2] as they ought to be
[3] with their Deceners
[4] { *of twelve years old* / the Deceners *Rast.* 1603.
[5] Lord's
[6] there
[7] *stopped or narrowed.*
[8] Thieves
[9] of Corn
[10] *or other things, out of Windows or Stalls.*
[11] Hue and Cry
[12] and fare well,
[13] *Fullers of Cloths*

PRIMES vous nous dirrez p̄ le s̄ement q̄ vous nous avez fait si touz les [seutours [1]] qi devent suite a ceste Courte soient venuz come venir deivent, & queux ne sount mie; & si touz les chiefs plegges ([2]) soient venuz, come venir deivent, & queux nemye; & si [touz de xij annz [3]] soient en lassise nr̄e Seign^r le Roi, & queux ne sount mie, & qi les receite. Et sil neit nul des villeins le Seign^r futif aillo's menant q̄en le demeigne le Roi. De ceux qi sount en les demeignes le Roi, & nount mye dem're un an & un jour. ([4]) Des custumes & des s̄vices duez au ceste Courte sustretes; comēt & p̄ qi, & en temps de quel baillif. De p'prestures faites en t̄res ([5]) & en ewes a nusance; des mures, maisons, haez, fosses, levez ou abatuz a nusance. Des [biens [6]] tretz & emportez. Des voies & des centes estopes ou amenusez. Des ewes destournez ou estopez ou amenusez hors de lour droit cours. Des Burgesours des mesons & de lour Receittours. ([7]) Des petitz larouns, come des howes, gelines & garbes. Des laronus qi sakent draps ou au̅s choses parmi fenestres ou parraies. De ceux qi vount en message des larouns. De ute̅s leve & nemie pursue. De saunk espandue & [plaie [8]] faite. De eschap de laroun & de feloun. Des utlagez repeirez saunz garaunt ([9]). De rape de femme qes mye p̄sente dev^nt Coron̅s. De retoundours & de fausours de la monoye. De tresor trove. Dassise de pain & de s̄vois enfreinte. Des faux mesours, come des busselx, galouns, verges, aunes. De faux balaunces & de faux pois. De ceux qi ount double mesure, & achatent p̄ le greindour, & vendent p̄ le meindre. De ceux qi assiduelment hauntent les tav̄nes & homme [ne soit dount ils viegnent.[10]] De ceux qi dorment les jours & veillent les nutz, & mangent bien & beivent bien & nount nul bien. Des [dobbours [11]] des draps, & des curreours des quirs aillo's qen ville marchaunde.

[1] jurrours *P. B.*
[2] ou lour dozeines
[3] toutz de douze annz *P. B.*—toutes les douzans *T.*
[4] Silyeit nul des villeins le seignour aillours en frank plegge que en cest Court.
[5] boys,
[6] boūdes.
[7] De comen larons et de lour recetours.
[8] *fray T.*
[9] le Roi
[10] ne sceit doūt ilz vi̅et
[11] vendours *P. B.*—dubbours *T.*

* In Pynson's Antiqua Statuta this is inserted as a Statute made in 17 Edw. II. In other Editions it is attributed to 18 Edw. II. The Copy from *MS. Cott. Claud. D. II.* was first printed in Cay's Edition. The Various Readings are from the Old Printed Copies by Pynson, Berthelet, and Tottell; where these differ from each other they are quoted by the Initials *P. B. T.*

De ceux qi fuent [a leglises & p eux[1]] sen vount saunz faire [qappent.[2]] [Sil ny eit nulle femme pariene p quoi le Seign[r] purra pdre.[3]] Et des gentz emprisonez & puis lessez saunz [garant.[4]] De ceux qi pnènt columbes en iveer p laces ou p autre engine. De touz ceux nous faites assavoir p le ℈ement q̃ vous nous avez fait.

[1] en cimitterie ou esglise, et puis [2] lassesse
[3] *P. B. T.* omit. [4] garauntie *B.*

31. Of such as fly into Church or Church-yard, and after depart without doing that which belongeth thereunto. (1). Sanctuary.

32. Of Persons imprisoned, and after let go without [Mainprise.[2]] Prisoners.

33. Of such as take Doves in Winter by [Door-falls or[3]] Engines. Doves.

34. And of all these Things, Ye shall do Us to wit, by the Oath you have taken.

[1] *If there be any unchaste Woman whereby the Lord may have loss.*
[2] warrant. [3] *Gins or other*

Le ℈'ement du Visconte.*

The OATH of the SHERIFF.

Ex magno Rot. Stat. in Turr. Lond. m. 34. d.

VOUS jurretz q̃ bien & loiaument ℈viretz le Roi en loffice de Visconte, & le preu le Roi freetz en totes choses q̃ a vous apendent a faire selonc vr̃e seu & vr̃e poair: & ses droitures & qantq̃ a la Coroune apent leaument garderetz, ne ne assentiretz au descres, ne au concelement des droitz ne des Franchises le Roi: et p la ou vous sa℣etz les droitz le Roi ou de la Coroune, soit en ℘res ou en rentes, ou en franchises, ou en suites, concelees ou sustretes, vr̃e loiale peine mettretz de ce [repler[1]]; et si vous ne le poetz faire vous le dirretz au Roi, ou a ceux de son conseil de qi vo℘ soietz ℭtein, queux le dirrount au Roi: et les dettes le Roi por doun ne por favour respitretz par la ou vous les porretz sauntz tresg[a]nte grevaunce de dettours lever: e q̃ loiaument & a droiture tretteretz le poeple de vr̃e baillie & a chescun freetz droiture auxibien a poure come a riche, en ce q̃ a vous appent afaire: et q̃ por doun ne por ℘messe ne por favour ne p℘ [haunge,[2]] tort ne freetz a nuli, ne autri droiture ne ne desturberetz; & q̃ loiaument acquiteretz, al Eschekier, la gent de qi vo℘ a℣etz rien receu des dettes le Roi, et q̃ rien ne ℘ndretz par quoi le Roi pde ou p quoi droiture soit desturbe, ou la dette le Roi delae: & q̃ loiaument freez retourner, & loiaument suire les briefs le Roi a vr̃e seu & a vr̃e poair: et q̃ vous ne ℘ndretz nul ballif en vr̃e ℈vice por qi vous ne voletz respoundre: et q̃ vous freez voz ballifs faire autiel ℈ement come a eux apent: et q̃ nul brief ne receivretz p vo℘ ne par les voz, souz seal [des Justices[3]] forsq̃ en Eyre ou autres Justices assignetz en mesme la Countee, ou Justice de Neugate; & q̃ vous mettretz voz baillifs de plus loiaux du pais; [et q̃ nul ballif ne Ministre qi ad este od lautres Viscontes retendretz en vr̃e ℈vice.[4]]

[1] reapeller *Rot. Claus.* [2] haour *Rot. Claus.*
[3] de Justice *Rot. Claus.* [4] *Rot. Claus.* omits.

YOU shall swear, that well and truly you will serve the King in the Office of Sheriff, and to the Profit of the King will do in all Things which to you belong to do, according to your Knowledge and your Power; and his Rights, and whatever to his Crown belongeth, you will truly guard, and that you will not assent to the Decrease or Concealment of the King's Rights or Franchises; and whenever you shall know the Rights of the King or of the Crown, be it in Lands or in Rents, or in Franchises, or in Suits, to be concealed or withdrawn, you will do your lawful Endeavour to restore the same; and if you cannot so do you will tell the same to the King or to those of his Council, of whom you shall be certain that they will tell the King: And the Debts of the King, neither for Gift nor for Favour will you respite, where you may levy the same without too great Grievance of the Debtors; and that lawfully and rightfully you will treat the People of your Bailiwick, and to every one you will do right, as well to the Poor as the Rich, in that which to you belongeth to do: And that for Gift, nor for Promise, nor for Favour, nor for Hate, you will not do wrong to any, nor disturb the Right of another; and that lawfully you will acquit at the Exchequer the People of whom you shall have any Thing received of the King's Debts; and that you will take nothing whereby the King shall lose, or whereby Right shall be disturbed, or the King's Debt delayed: And that truly you shall cause to be returned, and truly to be sued, the King's Writs according to your Knowledge and your Power; and that you will not take any Bailiff into your Service for whom you will not answer; and that you will cause your Bailiffs to make such Oath as to them belongeth; and that you will receive no Writ by yourself nor by yours, under the Seal of the Justices, except in Eyre, or other Justices assigned in the same County, or a Justice of Newgate; and that you will appoint your Bailiffs of the most lawful Men of the County; and that you will retain in your Service no Bailiff nor Officer who hath been with other Sheriffs.

* This Oath, as also the King's Coronation Oath, the Oaths of the King's Counsellors, the Bishops, Escheators, and Mayors and Bailiffs, together with the Abjuration and Oath of Thieves, were first inserted in *Tottell's Magna Carta, &c.* 1556: In Hawkins's and subsequent Editions of the Statutes, the Oath of the Sheriff is given from the Statute Roll *m.* 34 *d.*, the back of the Membrane on which the Statutes 34 Edw. I. are entered. The Various Readings, in the Notes above, are from an Entry of this Oath on the Close Roll 5 Edw. II. m. 23 d. intituled in the Margin 'Forma Sacramenti Vicecomitum.' For the Coronation Oath, See the Notes to the Ordinances 5 Edw. II. ante page 168. See also the Oaths of the Justices and Clerks of the Chancery, 20 Edw. III. post page 305, 306.

Forma Juramenti' illor' de cons' R.

Form of the Oath of those of the King's Council.

HE who shall be sworn of the King's Council shall be charged with the Points hereunder written: And if he be a Justice he shall be charged with the last Point.

That well and truly you will counsel the King according to your Knowledge and Power.

That well and truly his Counsel you will keep.

That you will not accuse another of any Thing which he shall say in Council, which toucheth the Counsel of the King.

And that your Pains, Aid, and Counsel to all your Power you will give and apply, to guard and maintain to preserve and restore the Rights of the King and of the Crown, where you can without wrong doing, and according to Duty.

And where you shall know of Matters relating to the Crown and the Rights of the King to be concealed, or wrongfully aliened or withdrawn, that you will cause the same to be redressed to your Power, or give Information to the King thereof, or to his Council in Manner as to you belongeth.

And that you will uphold the Crown in as much as you can in lawful manner.

And that you will not be in Place or of Counsel where the King depriveth himself of the Things which belong to the Crown, unless it be a Thing which behoveth you to do.

And that you will not leave for any Man, for Love, nor Hatred, for good Will, nor for ill Will, but that you will cause to be done to every one, of what Estate or Condition soever he be, Right and Reason, according to your Power and Knowledge; And that of none will you take any Thing for doing of Wrong or delaying of Right.

And that in doing of Judgement and Right, where you shall be assigned, you will not spare any, neither for Greatness, nor for Poverty, nor for Riches, whereby Right may not be done according to your Power.

And if You have made Alliance with any Lord, or other, whereby you cannot do or maintain those Things without Breach of such Alliance, that you will tell the King or cause him to be informed thereof.

And that henceforth, Alliance on Oath you will not make with any, without the Leave of the King.

And that you will take nothing for Gift of any, for Plea nor for other Matter that shall be to be done before you, unless it be daily Meat and Drink.

Ex Rot. Claus. 35 *Edw.* I. *m.* 7 *d* *.

CELI qe serra jurez du conseyl le Roy, soit chargez des pointz ci desoutzescritz: E sil doive estre Justice, soit chargez du darrein point.

Q' bien & loiaument consaillerez le Roy solunc vr̃e seu & vr̃e poiar.

E qe bien & loiaument son consail celerez.

E qe vous ne encuserez autre de chose qil dirra au consail (1).

E qe vr̃e peyne, eide, & consail, a tot vr̃e poair dorrez & metterez as droitures le Roy & de la Corone garder & maintenir, sauver & repeller, p̱ la ou v⁹ p'rez santz tort faire (2).

E la ou vous sav⁹ez les choses de la Corone & les droitz le Roy concelez, ou a tort alienez, ou sustretz, qe vous le frez (3) sav⁹ au Roy (4).

E qe la corone acrestrez a vr̃e poair & en loiale man⁹e.

E qe vous ne serrez en lieu ne a consail ou le Roi se descresse de chose qe a la Corone appent, si ce ne seit chose qe vous conveigne faire.

E qe vous ne lerrez pur nully, pur amur, ne haour, pur bon gre, ne pur mauveis gre, qe vous ne facez faire a chescun de quel estat ou condicion qil soit, droiture & reison, solunc vr̃e poiar & a vr̃e escient, & qe de nully rien ne p⁹ndrez pur tort faire ne droit delaier.

E qe en Jugement, ou droiture faire, la ou vous serrez assignez, vous nespnierez nully, pur hautesce, ne pur pov⁹te, ne p' richesce, q̃ droit ne soit fait (5).

E si vous eez fait alliaunce, a seign'age, ou a autre, par quey vous ne peussez cestes choses faire ou tenir sauntz cele alliaunce enfreindre, q̃ vous le dirrez ou frez sav⁹ au Roy.

E qe desormes alliance de s⁹ment ne freetz a nulli sauntz conge le Roy.

E qe rien ne p⁹ndrez de doun, de nully, pur pled ne pur aut⁹r chose, quil eit a faire devant vous, si ceo ne soit manger & beivre a la journee.†

1 q̃ touche le conseil le Roi
2 & solunc ce qil affert a son office.
3 adrescer a vr̃e poer, ou q̃ vous le frez
4 ou a son conseil en la manere q̃ a vous appent
5 a vr̃e poer

* This Oath is also entered on *Rot. Claus.* 1 *Edw. II. m.* 19 *d*: of which the Various Readings are given in the Notes. An Entry of this Oath on the *Vetus Codex* in the Tower *sub. an.* 35 *Edw.* I. agrees with that in the Text.

† After the Form of the Oath on *Rot. Claus.* 35 *Edw. I.* is the following Entry:

" R. Londoñ Ep̃s, quem Rex vult esse de consilio ℞, p⁹stitit sacr̃m in pleno p̱liamento ℞ apud Karł die Jovis in c^a^stino Conv⁹sionis Sc̃i Pauli, anno r̃. ℞ E. xxxv. sc̃dm articłos sacr̃i contentos in hac cedula."

Juramentu' Ep'or'.

The Oath of the Bishops.

Ex MS. Harl. 867. fo. 42. b.

LE ꝥement de feaute des Evesqꝭ. Jeo ꝥrei foil & leal, & foy & leaute portay, au Roy & a ces heirs Roys Dengl de vie & de membre & de trē honor, contre toutes gentz q' pont vivre & morir; & lealment conustray, & lealment fray, les ꝥvicez q̄ appendent a la temporalte de levesq, de N. la quel jeo claim tenir de vous, et la quel vous me rendez; si me eide Dieu & les Seintz.

The Bishops' Oath of Fealty.

I WILL be faithful and true, and Faith and Loyalty will bear to the King, and to his Heirs Kings of England, of Life and of Member and of earthly Honour, againſt all People who may live and die; and truly will acknowledge, and freely will do, the Services which belong to the Temporalty of the Bishoprick of N. which I claim to hold of you, and which you render to me. So help me God and his Saints.

Juramentum Escaetorum.*

The Oath of Escheators.

VOUS jurres que bien et loialmēt servires le Roy en le Office de Eschetor en les Counties de A. B. & C. & le proue le Roy ferez en toutz choses qui a vous appendent a faire, solonc vostre soien & vostre poiar; & sez droitures, et quant a la Corone appent loialment garderes: & ne assentires a distresse ne a concelment des droites, ne des franchises le Roy; et par la ou vous scaveres les droits le Roy ou de la Corone, soit il en terres, ou en rentes, ou en franchises, ou en suites, conceles ou sustreites, vostre loial poiar metres de ceo repeller, et si vo ne le poies faire, vo le dirres au Roy, ou a ceux de son coūsel, de q̄ vo soies certaine que eux diront au Roy; & q̄ loialment et au droit traiteres le people de vostre bailee, et a chescun faites droit, auxiſn aux poures come aux riches, en ceo que vous appent a faire; & q̄ pur doñ, ne pur promis, ne pur favor, ne haire, tort ne feres a nully, ne auter droiture ne distourberes; & que riē ne prendres par quoy le Roy perde, ou droiture soit disturbe; et que vous prēdres nul minist en vostre service pur qui vous ne voilles responder; et que vous ferres vo ministres faire tiel serement come a eux appent.

YOU do swear, that well and truly you will serve the King in the Office of Eschetour in the Counties of A. B. and C. and to the King's Profit will do in all things which to you belong to do, according to your Knowledge and Power; and his Rights and whatever to the Crown belongeth truly will guard; and that you will not assent to the Decrease, nor to the Concealment of the Rights or Franchises of the King; and wherever you shall know the Rights of the King or of the Crown, be it in Lands, or in Rents, or in Franchises, or in Suits, to be concealed or withdrawn, you will do your lawful Power to restore the same; and if you cannot so do, you will tell the same to the King, or to those of his Council of whom you are certain that they will tell the King: And that lawfully and rightfully you will treat the People of your Bailiwick, and to every one will do right, as well to the Poor as to the Rich, in that which to you belongeth to do: And that for Gift, nor for Promise, nor for Favor nor Hate, you will not do Wrong to any, nor the Right of another will you disturb: And that you will take nothing whereby the King may lose, or Right may be disturbed; and that you will take no Officer into your Service for whom you will not answer; and that you will cause your Officers to make such Oath as to them belongeth.

Juramentum Majorum & Ballivorum.

The Oath of Mayors and Bailiffs.

VOUS jures que bien & loialment servires au Roy en le Office de Maior en la Citie de Londres, & mesme la Citie garderes surement & sauvement a le oeps nostre Seigneur le Roy de Angliterre, et de ses heires Roys de Angliterre; et le proue le Roy ferres en toutes choses que a vous appēdēt a faire; et les droitures le Roy, et quāt que a la Corone appent en la dite citie, loialmīt garderes, et ne assētires a distresse ne a cōcelement des droits ne des franchises le Roy. Et par la ou vous scaveres les droits le Roy ou de la

YOU do swear, that well and truly you will serve the King, in the Office of Mayor within the City of London, and the same City will surely and safely keep to the Use of our Lord the King of England and his Heirs, Kings of England; and to the Profit of the King will do in all Things which to you belong to do; and the Rights of the King, and whatever to the Crown belongeth in the said City, you will lawfully preserve, and will not assent to the Decrease, nor to the Concealment of the Rights or Franchises of the King: And wherever you shall know the Rights of the King, or of the

* This and the Two following Forms of Oaths, are reprinted from *Tottell's Magna Carta, &c.* 1556.

Crown, whether in Lands, or in Rents, or in Franchises, or in Suits, to be concealed or withdrawn, you will do your Power to restore the same; and if you cannot so do you will tell the same to the King, or to those of his Council of whom you shall be certain that they will tell the King; and that lawfully and rightfully you will treat the People of your Bailiwick, and Right will do to every one, as well to Strangers as to Natives, to the Poor as to the Rich, in that which to you belongeth to do; and that for Greatness nor for Riches, nor for Gift, nor for Promise, nor for Favour, nor for Hate, you will not do Wrong to any; that you will disturb no Right; and that you will take nothing whereby the King may lose, or any Right may be disturbed; and that in all Things which to the Mayor of the said City belongeth to do, well and truly you will behave yourself. So help you God, &c.

In like Manner of Bailiffs; mutatis mutandis.

Corone, (soit en terres, ou en rentes, ou en fraunchi , ou en sutes,) concelles ou sustretes, vostre peine m^t teres de ceo repeller; et si vo^9 ne le poies faire vo^9 le dires au Roi, ou a ceux de son coũseil, de q̃ vous soies certain que eux le diront au Roy: et qe loialment, & a droiture traiteres le people de vostre bailee, et droit faires a chescun, auxi bien as estranges, come as privies, as poures, come as riches, en ceo que a vous appent a faire; et que pour hautesse, ne pour richesse, ne pour don, ne pour promis, ne pour favor, ne pour haier, tort ne faires aṡ nulluy; q̃ nul droiture distourberes, ne rien ne prendres p̃ quoy le Roy perde, ou ascun droiture soit distourbe; et que en toutes choses que al maior de la dit citie appent a faire, bien & loialmẽt averes, si vous aide Dieu, &c.

Ensemblement des Baillifes, mutatis mutandis.

Abjuratio & juramentum Latronum.

The Abjuration and Oath of Thieves.*

THIS Hear thou, Sir Coroner, that I M. of H. am a robber of Sheep, or of any other Beast, or a Murderer of one or of more, and a Felon of our Lord the King of England, and because I have done many such Evils or Robberies in this Land, I do abjure the Land of our Lord Edward King of England, and I shall haste me towards the Port of such a Place which thou hast given me, and that I shall not go out of the Highway, and if I do I will that I be taken as a Robber and Felon of our Lord the King; and that at such a Place I will diligently seek for Passage, and that I will tarry there but one Flood and Ebb, if I can have Passage; and unless I can have it in such [a Place,[1]] I will go every Day into the Sea up to my Knees assaying to pass over; and unless I can do this within Forty Days, I will put myself again into the Church as a Robber and a Felon of our Lord the King. So God me help and his Holy Judgement, &c.

[1] *space*

HOC audis dñe Coronator, qd Ego [N.[1]] sum latro bidentiũ, vel alicujus alterius ãialis, vel homicida unius vel plurium, et felonus dñi Regis Anglie. Et quia multa mala [& latrocinia, vel[2]] hujusmodi, in terra sua feci, abjuro terrã dñi E. Regis Anglie; et quod debeo festinare me versus portum de tali loco, quem mihi dedisti; et quod non debeo abire de alta via, et si faciam, volo quod sim captus sicut latro et felonus domini Regis, et quod ad talem locũ diligenter queram transitum: Et quod expectabo illic nisi fluxum, et refluxum, si trãsitum habere potero; et nisi tanto spacio transitum habere potero, ibo quolibet die in mare usque ad genua tentans transire: Et nisi hoc potero infra quadraginta dies continuos mittam me iterum ad ecclesiam, sicut latro et felon^9 domini Regis. Et sic Deus me adjuvet (*) &c.

[1] M. de H.
[2] vel latrocinia
[3] mea
[4] et sanctũ judiciũ

* The Various Readings are from the Copy printed in Rastall's Collection, 1557, title Abjuration; where it is preceded by the following Instrument, quoted as 'Tract de Officiis Coronatorũ,' which Rastall says he could not find in any written or printed book, but only in the Abridgement of Statutes. The Translations are from the Edition of Rastall's Collection in English, 1603.

WHEN a Robber, Murderer, or other evil-doer shall fly unto any Church upon his confession of felony, the Coroner shall cause the abjuration to be made thus: Let the Felon be brought to the Church door, and there be assigned unto him a port, near or far off, and a time appointed to him to go out of the Realm, so that in going towards that port he carry a cross in his hand, and that he go not out of the King's highway, neither on the right hand, nor on the left, but that he keep it always until he shall be gone out of the Land; and that he shall not return without special favour of our Lord the King.

CUM latro, homicida, aut ali^9 malefactor ad eccliã diffugerit, facta recognitione felonie, fieri faciet coronator abjurationẽ, sic: felonus ducatur ad portam ecclesie, et assignetur ei portus propinquus vel remotus, et prefigatur ei terminus exeundi regnũ, ita quod in eundo versus portum illum, deferat quandam crucem in manu sua, nec declinet a via Regali a dextris nec a sinistris, sed semper eam teneat quousq; regnũ exierit, & non redibit sine speciali gratia dñi Regis.

End of the Statutes usually termed Antiqua Statuta.

STATUTES OF KING EDWARD THE THIRD.

Anno 1° EDWARDI III. A.D.1326-7.

Statuta fca apud Westm in p'liamento R. Edwardi Tcii post Conquestoꝛ anno r. sui primo.

STATUTES made at WESTMINSTER;
In the Parliament of K. EDWARD, THE THIRD, after the Conqueror;
In THE FIRST YEAR of his Reign.

Ex magno Rot. Stat. in Turr. Lond. m. 29.

COME Hugh le Despenſ le piere & Hugh le Despenſ le fiuz nadgares, a la suite Thomas adonqes Counte de Lancastr & de Leycestr, Seneschal Dengletre, p cōmune assent & agard des piers & du poeple du roialme, & p lassent du Roi Edward piere nre Seignr le Roi qore est, come treitres & enemys du Roi & du poeple feussent exilez, desheritez, & banutz hors du roialme pur tous jours; puys aps, mesmes ceux Hugh & Hugh, p malveis conseil q̄ le dit Roi avoit ps de luy adonqes, saunz assent des piers & du poeple revindrent en dit roialme; & eux & autres abetterent le dit Roi Edward apsure le dit Counte de Lancastre & autres graunz & gentz du poeple du roialme, en quele pursuite le dit Counte de Lancastr & autrs grauntz & gentz du poeple du roialme voluntrivement furent mortz, & desheritez, & ascuns utlagez banuz & desheritez, & ascuns deshetez & emprisonez, & ascuns reintz & deshetez; & aps tieux mauveistez les ditz Hugh & Hugh, Mestre Robt de Baldok, Esmon jadis Counte Darundell acrocherent a eux roial poer, en tieu manere q̄ le dit Roi Edward rien ne fist, ne ne voleit faire, forsq̄ ceo q̄ les ditz Hugh & Hugh, Robt, Esmon Counte Darundell, luy conseilerent, ne fust ceo ja si gnt tort; duraunt quele acrochement p durte & p force countre volunte des gentz de la tre, ils purchacerent tres p fyns levz en la Court le dit Roi Edward & en autre manere. Et come aps la mort le dit Counte de Lancastr & des auts gntz, nre Seignr le Roi qore est, & ma dame Isabele Roine Dengletre sa miere, de la volunte le dit Roi Edward, & p cōmun conseil du roialme, alassent es pties de France de pcurer bien de pees entre les deux roialmes de Fraunce & Dengletre,

STATUTE THE FIRST.

Recital of the Usurpations of the two Spensers, &c. and of their Destruction by means of the present King and his Mother. *See Statutes 15 Edw. II.*

WHEREAS Hugh Spenser the Father, and Hugh Spenser the Son, late at the Suit of Thomas then Earl of Lancaster and Leicester, and Steward of England, by the common assent and award of the Peers and Commons of the Realm, and by the Assent of King Edward Father to our Sovereign Lord the King that now is, as Traitors and Enemies of the King and of his Realm, were exiled, disherited, and banished out of the Realm for ever; and afterward, the same Hugh and Hugh, by evil council which the King had [taken of them,[1]] without the Assent of the Peers and Commons of the Realm, came again into the Realm; and they, with other, procured the said King to pursue the said Earl of Lancaster, and other great men and people of this Realm, in which pursuit, the said Earl of Lancaster, and other great men and people of the Realm were [willingly dead[2]] and disherited, and some outlawed, banished, and disherited, and some disherited and imprisoned, and some ransomed and disherited; and after such Mischief, the said Hugh and Hugh, Master Robert Baldocke, and Edmond late Earl of Arundel usurped to them the Royal Power, so that the King nothing did nor would do, but as the said Hugh, and Hugh, Robert, and Edmond Earl of Arundel did counsel him, were it never so great wrong; during which Usurpation, by duress and force against the will of the [Commons,[3]] they purchased Lands as well by Fines levied in the Court of the said King Edward, as otherwise: And Whereas after the death of the said Earl of Lancaster, and of other great men, our Sovereign Lord the King that now is, and Dame Isabel, Queen of England, his Mother, by the King's will and Common Counsel of the Realm, went over into France, to treat a Peace between the two Realms of England

[1] *then near him* [2] *wilfully put to death*

[3] People of the Land *MS. Tr.* 2.

and France, upon certain Debates then moved; The said Hugh and Hugh, Robert, and Edmond Earl of Arundel continuing their Mischief, encouraged the said King Edward against our Sovereign Lord the King that now is, his Son, and the said Queen his Wife, and by the Royal Power which they had to them incroached, as afore is said, procured so much Grievance, by the assent of the said King Edward, to our Sovereign Lord the King that now is, and the Queen his Mother, then being beyond the Sea, that they remained as forsaken of the said King Edward, and as exiled from this Realm of England: Wherefore it was necessary for our Sovereign Lord the King that now is, and the Queen his Mother, being in so great jeopardy of themselves in a strange Country, and seeing the Destruction, Damage, Oppressions, and Disherisons which were notoriously done in the Realm of England, upon Holy Church, Prelates, Earls, Barons, and other great Men and [the Commonalty [1]] by the said Hugh and Hugh, Robert, and Edmond Earl of Arundel, by the encroaching of such Royal Power to them, to take as good Counsel therein as they might; and seeing they might not remedy the same [unless [2]] they came into England with an army of men of war, and by the Grace of God, with such puissance and with the help of great men and Commons of the Realm, they have vanquished and destroyed the said Hugh and Hugh, Robert, and Edmond ([3]): Wherefore our Sovereign Lord King Edward that now is, ([4]), at his Parliament holden at Westminster, at the time of his Coronation on the morrow after Candlemas, in the First Year of his Reign, upon certain petitions and requests made to him in the said Parliament, upon such articles above rehearsed, by the common Counsel of the Prelates, Earls, Barons, and other great Men, and by the Commonalty of the Realm there being by his commandment, hath Provided, Ordained, and Established in the form following.

I. Indemnity for those who took Part with the King and his Mother.

FIRST, That no great Man nor other, of what Estate, Dignity, or Condition he be, that came with the said King that now is, and with the Queen his Mother, into the Realm of England, nor none other, then dwelling in England that came [with [5]] the said King that now is, and the Queen, in Aid of them to pursue their said Enemies, in which Pursuit the King his Father was ([6]) taken and put in Ward, and yet remaineth in Ward, shall not be impeached, molested, nor grieved, in Person nor in Goods, in the King's Court, nor other Court, for the Pursuit of the said King, taking and with-holding of his Body, nor Pursuit of any other, nor taking of their Persons, Goods, nor Death of any Man, or any other Things perpetrate or committed in the said Pursuit, from the Day that the said King and Queen did arrive, till the Day of the Coronation of the same King: and it is not the King's Mind, that such Offenders that committed any Trespass, or other Offence out of the said Pursuit should go quit or have Advantage of this Statute, but they shall be at their answer for the same at the Law.

II. The Repeal of the Exile of the Spensers made void.

ITEM, That the Repeal of the said Exile, which was made by duress and force, be annulled for evermore; and the same Exile made by Award of the Peers and the Commons, by the King's Assent as afore is said, shall stand in his Strength in all Points, after the Tenour of every Article therein contained.

III. Executors of those of the same Party shall have Action to recover their Testators' Goods.

ITEM, That the Executors of the Testament of all those that were of the same Quarrel [dead,[7]] shall have Actions and recover the Goods and Chattels of them being of the said Quarrel whose Executors they be, as they of the same Quarrel [should.[8]] And that Fines, Sales, and Gifts of Land, and Recognisances of Debts, after the time of the Exile of the said Hugh and Hugh,

[1] upon the People of the Realm *MS. Tr.* 2.
[2] *except by force, therefore* [3] Earl of Arundel *MS. Tr.* 2.
[4] *Son of the said King Edward, who was Son of King Edward, Son of King Henry,*
[5] to *MS. Tr.* 2. [6] pursued *MS. Tr.* 2.
[7] not in Original; nor in MS. Tr. 2.
[8] *who are alive, have by reason of the Quarrel.*

sur ascuns debatz q̃ adonqes estoient meutz; les dit Hugh & Hugh, Robt & Esmon Count Daruendell, continuauntz lour mauveiste, moverent le corage le dit Roi Edward contre nr̃e Seign^r le Roi son fiuz qore est, & la dite Roine sa compaigne, & p̃r poair roial qil avoient a eux acrochez, sicome desus est dit, tantz de durte ꝑcurerent estre fait ꝑ lassent du dit Roi Edward, au dit nr̃e Seign^r le Roi qore est, & a la Roine sa miere, adonqes esteauntz dela la mier, q̃ eux y demorerent relinquiz du dit Roi Edward & come exilez hors du roialme Dengleṫre: ꝑ quoi il covenist nr̃e dit Seign^r le Roi qore est, & la Roine sa miere, ensi mys a si g^a^nt meschefs de eux mesmes en estraunge ṫre, & attendauntz les destructions, damages, opp̃ssions, & desh̃itisons q̃ notoirement furent faitz en dit roialme Dengleṫre sur Seinte eglise, prelatz, Countes, Barons, & autr̃s grauntz, & sur le poeple du roialme, ꝑ les ditz Hugh & Hugh, Robt, Esmon Counte Darundell, ꝑ poair roial a eux issint acroche, mettre y le bon conseil qil p'roient; & veiauntz q̃ eux ne poient remede mettre fors q̃ ꝑ force, taunt fesoient qil vindrent en Engleṫre a g^a^unt force des gentz darmes, & par la grace de Dieu ove cele force, & ove leide des g^a^untz & du poeple du roialme, unt vencuz & destrut les ditz Hugh & Hugh, Robt, Esmon Counte Darundell: Dount nr̃e Seign^r le Roi Edward q̃ ore est, fiuz du dit Roi Edward, q̃ fut fiuz le Roi Edward fiuz le Roi Henri, a son plement tenu a Westmonster a son coronement, lendemeyn de la Chaundelure, lan de son regne p'mer, sur ascuns peticiones & requestes q̃ luy furent faites au dit plement, sur les choses motez a desus, ꝑ cōmun conseil des ꝑlatz, Countz, Barons, & autres grauntz & le Cōmun du roialme, illoeq̃s esteauntz ꝑ son comaundement, p'vist ordina & establi en la fourme q̃ sensuit.

Primement q̃ nul g^a^unt, ou autre de quel estat dignite ou condicion qil soit, q̃ vindrent ove le dit Roi q̃ ore est & ove la Roine sa miere, en roialme Dengleṫre, ne autr̃s adonqes demorauntz en mesme le roialme, & q̃ vindrent as ditz Roi & Roine en lour eide ap'sure lour ditz enemys, en quele p'suite le Roi le piere fust p'suy, pris & mys en garde, & uncore demoert en garde, ne soit empeche moleste ne greve, en ꝑsone ne en biens, en la Court le Roi, ne en Court dautri, pur la suyte du dit Roi, pris & detenue de son corps, ne p^r suyte dautre prise des ꝑsones chasteux ou de Chateux, mort de hōme ou q̃cunqes autres choses faites en la dite p'suite, du jour q̃ les avauntditz Roi & Roine ariverent taunq̃ au jour du coronement du dit Roi: et nest pas lentencion du dit Roi q̃ meffesours, q̃ firent trespas ou autr̃s malx hors la dite p'suyt, soient covert ne avantage eient de cest estatut, einz qils ent soient respoignauntz a la lei.

Ĩm q̃ le repel du dit exil, le quel fut fait ꝑ force & ꝑ durte, soit anenti & nul a touz jours; et q̃ meme cel exil fait ꝑ agard des piers & du poeple & ꝑ assent du Roi, sicome desus est dit, teigne sa force en touz pointz solonc la tenur de chescun article contenu en y cel.

Ĩm q̃ les executours des testamentz de touz ceux q̃ furent de la dite quer--- eient action & recoeverent les biens & les chateux de ceux de mesme la querele, dount ils sount executours, auxiavant come ceux de mesme la querele q̃ sount en vie le unt ꝑ cause de la querele. Et q̃ fins ventes & douns de ṫre, & reconissaunces des dettes, puys le temps del exil des ditz

Hugh & Hugh, fait p force & durte as ditz Hugh & Hugh, Esmon Counte Darundell, Robt de Baldok, & Waut de Stapelton jadis Evesq, Dexcestr, ou a auscun de eux soient defaitz. Et est acorde & establi q en cas ou nul voudra, p voi daccion, defaire fyn vente ou doun de tre, ou reconissaunce de dette faite p force ou p durte as dites psones, sicome desus est dit, eit bref de la Chauncellerie affaire venir le transecrit du pee de la fyn & la tenour de la reconissaunce devaunt le Roi et les Justices assignez a tenir les plees devant le Roi, associe a eux deux Evesqes, deux Countes, deux Barouns, ou de chescun estat un, & garnie la ptie tenaunt de la tre dount tiel fyn est leve, doun ou vente faite, si trove soit en la Court le Roi, p conissaunce de ptie ou p loiale enqueste apndre, q tiel fyn, vente ou doun fust leve ou faite p durte de prison, ou par doute de morte, adonqes soit defait; & execucion soit faite outre pur le pleintif, come appent sur la restitucion des tres & teñz q sount en autri meyn q en les meyns le Roi. Au tiel pces soit fait des tres q sount en la meyn le Roi, dount fins sount levez, garni le gardein des dites tres. Et en cas ou nul voudreit demaunder tre p cõe lei, & tiel fin ou autre fait soit mis en barre de sa demaunde, adonqes soit fait auxcome ad este cea en arere, ou reles ou quiteclam ad este mys en bar daccion entre pties, ou emp'sonement ad este alegge; mes nest pas lentencion du Roi ne de son conseil q ceux q unt vendu lour tres, ou relesse ou quitclame de lour fraunche volunte, eient avantage p cest estatut.

Auxint est acorde ordine & establi en amendement de la lei, q countre record de Court, le quel record vient en la Court le Roi p br de faux juggement, en cas ou la ptie dist q le record est autre q la Court ne recorde, soit receu avement de bone pais, & de ceux q furent psentz en la Court q'nt le record se fist, si tieux viegnent ove les autrs du pais p ret'n de visc, & sils ne veignent, soit lenqueste prise p bone pays.

Auxint est p'veu & establi q desore enavant countre faux ret'n des bailiffs des fraunchises q unt plein ret'n des brefs, eit hõme avement & recover auxicome devs le visc le Roi, auxibien de trop petit issues ret'nez come en autre cas, issi qil ne chiete en pjudice des Seign'rs ne en blemissement de lour fraunchises, & q lestat de seinte Eglise soit touz jours sauve; & q tot le punissement soulement chiete sur les baillifs, p punissement de lour corps sil neient de quoi respoundre.

Purveu est ensement & establi, q p' les g'untz meschefs damages & destruccions de divs psons, auxibien des gentz de seint Eglise come dautres, q sount avenuz p faux serment des jorours en brefs de trespas, q desore bref de atteint soit graunte, auxibien sur le principal come sur les damages en brefs de Trespas; et q le Chauncelle qi pur temps sra eit poair de graunter tiels brefs datteintes, saunz pler au Roi, & q en tieu cas, & en touz autrs de atteinz, les Justices ne lessent pas de pndre les atteinz p' les damages nient paiez.

Et q p' eschure malx damages & destruccions q sount avenuz p visc, gaolers, gardeins des p'sons deinz fraunchise & dehors, q unt peine prisons, & p autre male voie destreint & pcure adevenir appellours & appeller gents nient coupables, pur aver raunceouns des tieux appellez pur [seute[1]] de p'sone, ou p autre cause; Justic

[1] doute *Old Printed Copies.*

made by force and duress to the said Hugh and Hugh, Edmond Earl of Arundel, Robert Baldocke, and Walter Stableton, late Bishop of Exeter, or to any of them, be defeated. It is also agreed and stablished, that if any Man will by way of Action, defeat any Fine, Sale, or Gift of Land, and Recognisances of Debts, made by force or duress to the said Persons as above is said, he shall have a Writ out of the Chancery to cause the Transcript of [the Fote and[1]] of the Fine, and the Tenor of the Recognisances to be had before the King and his Justices, assigned to hold Pleas before the King, with two Bishops, two Earls, and two Barons associate unto them, or else of every Estate one; [to warn the Tenant of the Land, whereof such Fine is levied, or Gift or Sale made. And[2]] if it be found in the King's Court by Confession of the Party, or by a lawful Enquest to be taken, that such Fine, Sale, or Gift, was levied or made by duress of Imprisonment, or else for fear of Death, it shall then be defeated; and Execution to be made for the Plaintiff as pertaineth [by[3]] Restitution of Lands and Tenements, being in other Mens Hands than the King's. And like Process shall be made of Lands being in the King's Hands, whereof Fines be levied [to warn the Keepers of the said Lands.[4]] And in case where any will demand Land by the common Law, and such Fine or Deed be pleaded in Barr of his Demand, then it shall be done as hath been used in Times past where a Release or Quit-claim hath been pleaded in Barr of such Actions between the Parties, or Imprisonment hath been alledged: but it is not the mind of the King nor of his Council, that they which have sold their Lands, [and[5]] released or quit claimed of their own free Will, should have any benefit by this Statute.

Assurances to the Spensers, &c. made by Duress avoided.

IV. Averment against the Record in a Writ of false Judgement.

ITEM, It is Accorded, ordained, and established in Amendment of the Law, that [when a Record[6]] cometh into the King's Court by Writ of false Judgement, in case where the Party alledgeth that the Record is otherwise than the Court doth record the same, the Averment shall be received of the good Country, and of them which were present in the Court when the Record was made, if they do come with others of the Country by the Sheriffs Return; and if they come not the Inquest shall be taken by the good Country.

V. Averment against false Returns of Bailiffs of Liberties.

ITEM, It is Provided and established, that from henceforth against the false Returns of Bailiffs of Franchises, which have full Return of Writs, a Man shall have Averment, and recover as well against them as against the King's Sheriff, as well of too little Issues returned as in other Cases, so that it falleth not in prejudice of the Lords, nor in the blemish of their Franchise; and that the Estate of Holy Church be always saved; and that all the Punishment fall only upon the Bailiffs, by Punishment of their Bodies, if they have not whereof to answer.

VI. An Attaint as well upon the Principal, as upon the Damages, in Trespass.

ITEM, It is Provided, that for the great Mischiefs, Damage, and Destruction that hath happened to divers Persons, as well of Holy Church, as of other, by the false Oaths of Jurors in Writs of Trespass; from henceforth a Writ of Attaint shall be granted, as well upon the Principal as upon the Damages, in a Writ of Trespass; and that the Chancellor which shall be for the Time, shall have Power to grant such Writs of Attaints, without speaking therefore to the King; and in such and all other Cases of Attaints, the Justices shall not let to take the Attaints for the Damages not paid.

VII. Inquiry concerning Gaolers compelling Prisoners to appeal.

ITEM, To eschew [the Damage and Destruction[7]] that often doth happen by Sheriffs, Gaolers, and Keepers of Prisons, within Franchise and without, which have pained their Prisoners, and by such evil Means compel and procure them to become Appealers, and to appeal harmless and guiltless People, to the Intent to have Ransom of such appealed Persons, for fear of Imprisonment or other Cause; the Justices of the one

[1] *the Foot* [2] *and the Tenant of the Land, whereof such Fine is levied, or Gift or Sale made, being warned,*
[3] upon *MS. Tr.* 2.
[4] *the Keeper of the said Lands being warned.* [5] *or*
[6] *against a Record of Court, the which Record*
[7] evils, damages and destructions *MS. Tr.* 2.

Bench and of the other, and Justices of Assise and Gaol-delivery, shall by force of this Statute enquire of such Compulsions, Punishments, and Procurements, and hear the Complaints of all them that will complain in such Cases by Bill, and shall hear and determine such Plaints, as well at the Suit of the Party, as at the King's Suit.

VIII. Proceedings against Offenders in Forests.

See the Ordinance of the Forest, 34 Edw. I.

ITEM, Whereas divers People be disinherited, ransomed, and undone, by the chief Keepers of the Forests on this Side Trent, and beyond, and by other Ministers, against the Form of the great Charter of the Forest, and against the Declaration made by King Edward, Son of King Henry, in form following; that is to say: "We will and grant for us and our Heirs, that for any Trespass done in our Forest of Vert and Venison, that the Foresters in whose Baillwick such Trespass shall be committed, shall present the same Trespasses at the next Swanimote before the Foresters, Verders, Regarders, Agisters, and other Ministers of the same Forest; and upon such Presentment made before the said Foresters, Verders, Regarders, and Agisters, and other Ministers aforesaid, as well by the Oaths of Knights, as [by [1]] other discreet and lawful Men, and not auspicious, of the Parties adjoining or near, where such Offences shall be so presented, and where the Truth may best and most fully be enquired, and the Truth [perfectly known,[2]] then such Presentments by the common assent and consent of all the said Ministers shall be solemnly [written,[2]] and with their Seals enseal'd; and if any Indictment be in any other Manner made, the same shall be void:" And therefore because the chief Wardens of the Forests have not observed the same Form hitherto, It is agreed and ordained, that from henceforth no Man shall be taken nor imprisoned for Vert or Venison, unless he be taken with the Maner, or else indicted after the Form before specified; and then the chief Warden of the Forest shall let him to Mainprise till the Eyre of the Forest, without any thing taking for his Deliverance; and if the said Warden will not so do, he shall have a Writ out of the Chancery, which hath been in old time ordained for such Persons indicted, to be at Mainprise till the Eyre. And if such Warden, after he hath received the Writ, do not incontinently deliver such Persons indicted, to Mainprise, without taking any thing, then the Plaintiff shall have a Writ out of the Chancery to the Sheriff, to attach the said Warden to be before the King at a certain Day, to answer wherefore he hath not replevied him that is so taken; and the Sheriff, the Verders being called to him, shall deliver him that is so taken by good Mainprise, in the Presence of the Verders, and shall deliver the Names of the Mainpernors to the same Verders to answer in the Eyre before the Justices. And if the chief Warden be thereof attainted, the Plaintiffs shall have their treble Damages awarded them, and the said Warden shall be committed to Prison, and ransomed at the King's Will: and from henceforth it shall be written to them as to the chief Wardens of the Forest, because they may not be Justices, nor have any Record but in the Eyre.

A Remedy for the Prisoner, if the Warden of the Forest will not bail him.

Dated at Westminster the Seventh Day of March, in the First Year of the Reign of the said King Edward that now is.

[1] of [illegible] so enquired of *St.* 34 *Ed. I.*

[2] confirmed *St.* 34 *Ed. I.*

del un Baunk & del autre, Justicz assignez apre[illegible] assises & gaoles deliv̄er, enquergent p force de cest estatut des tieux destresses, peiner, & ꝓcurementz, & oient les pleintes de touz ceux q̄ pleindre se voudrent en tieu cas p bille, & oient & t̄minent tieux pleintes, auxibien a suyte de ptie, come a la sute le Roi.

Et p' ceo q̄ plusours gentz sount desheritez reintz & destruz p les sov̄eins gardeins de forestes de cea Trent & de la & p les autrs ministres, encountre la fourme de la ch'te de la Foreste, & encountre la declaracion q̄ le Roi Edward fiuz le Roi Henry fist en la fourme q̄ sensuist, cest asavoir: nouz voillioms & grantoms pur nous & pur noz heires, q̄ dez trespas faites en noz forestes de vert & de veneson, q̄ les foresters en qi baillifs tieux trespas ꝺ̄rount faites, p̄sentent mesmes les trespas a p̄schein Swainmot, devant foresters, verders, regardours, & agistours, & autrs ministres de mesme la foreste, & sur tieux p̄sentemenz devant les foresters, verders, regardours, [agistours,[1]] & autrs ministres avantditz p ꝺ̄ment auxibien des Chivalers, come dautres ꝓdeshōmes & loiaux & nemy suspecionus des pties veisinables, & plus p̄scheins ou tieux trespasses ꝺ̄rount issint p̄sentez, & ou la v̄ite p'ra meux & plus pleinement estre enquise, & tiele v̄ite, issint enquisse, soient tieles p̄sentementz, p cōmun assent & acord de touz les ministres avauntditz, solempnement efforces et de lour seals enseales; & si en altre maner soit nul enditement fait, soit desoremes pur nul tenu: Et pur ceo q̄ les Chiefs gardeins des forestes nont mye la dite fourme tenue jesqes en cea, acorde est, ordene, & estabili, q̄ desormes nul ne soit pris ne en p'sone p' vert ne p' veneson, sil ne soit trove en meinoure, ou en la fourme avaundite endite, et adonqe luy lesse le sov̄ein gardein de la foreste a meinp'se jesqes al Eire de foreste, saunz ren p̄ndre pur la deliv̄aunce, & si le dit gardein faire ne voille, cit bref en la Chancel q̄ auncienment fust ordene p' tieux endite destre a meinp'se jesqes en en eir. Et si le dit gardein, ap̄s le dit bref resceu, ne face tieux endites saunz delai deliv̄er a meinprise saunz rien p̄ndre, donqes eit le pleintif bref en la Chauncellerie a viscount, datacher le dit gardein destre devaunt le Roi a c̄tein jour, a respondre pur quoi il nad replevi celui qest ensi pris, & le viscount appellez les verders face deliv̄ere celui qest pris par bone meinprise en la p̄sence des verders, & le nouns des meinpnours face liverer a mesmes les verders, a respoundre en eir devant Justices. Et si le Chief gardein de ceo soit atteint, soient agardez as pleintifs lour damages au tresble, & le dit gardein a la p'sone & reint a la volunte le Roi; et desoremes soit escrit a eux come a les chiefs gardeins de la foreste, pur ceo q̄ Justices ne deivent il estre, ne record avoir, forsq̄ en Eyr. Doñ a Westm̄ le vij. jour de Marz lan du regne le dit Roi Edward qore est primer.

[1] Interlined on the Roll.

Ex magno Rot. Stat. in Turr. Lond. m. 29.

AL Honr de dieu & de seinte Eglise & en amendement des oppssions du poeple, le Roi Edward fiuz le Roi Edward, filz au Roi Edward filz le Roi Henri, a son plement qil tynt a Westmonster aps la feste de la Purificacion de nre dame, lan de son regne primer, a la requeste de la cōmune de son roialme, p lor petitions mys devant luy & son conseil en le dit plement, p assent des Prelatz, Countes, Barons, & autrs g'ntz, au dit plement assemblez, ad graunte pur luy & ses heires a toutz jours les articles soutzescritz.

En p'mes q̄ la g'nde chartre des fraunchises & la chartre de la foreste soient gardes en toutz lor pointz. Et q̄ la puralee q̄ estoit chivauche en temps le Roi Edward, ael le Roi qor est, se tiegne en la forme qele estoit chivachee & bundee; e q̄ sur ceo soit chartre faite a chescun Countee ou ele fust chivache. Et p la ou ele ne feust my chivachee le Roi voet q̄ ele soit chivauche p bons & loialx & q̄ ch're sur ce soit faite come desus est dit. Itm q̄ chescun hōme q̄ eit boys deinz foreste poet pndre en son boys demeigne housbote & heybote sanz estre attache p ministres de la foreste, issint qils le face p veue de Forester.

Et pr ce q̄ avant ces houres, en temps le Roi pier au Roi qore est, Le Roi p malveys conseillers sanz cause & areynement fist pndre en sa meyn les temporalites des divs Evesqes, od toutz les biens & chateux en les dites temporalitees troveez, & mesmes les temporalitees tynt en sa meyn p long temps, & prist toutz les issues en mesmes le temps, a g'nt damages des ditz Evesqes, vastz & destruccions de lor Chasteux Manoirs Parks & Boys; Le Roi g'nt & voet q̄ desormes ne soit fait.

Itm come le Roi, piere le Roi qore est, avant ces houres avoit pdone a son poeple issues et amciementz tanq̄ al an du regne son piere vintisme, et puis tieux issues et amciementz, nient eyant regard a cel pdoun, ount este levez a g'nt damage de poeple: Le Roi voet q̄ des tieux issues et amciementz soit fait ce q̄ p *son dit piere feust autre* foitz grante. Et q̄ les dettes des Jues soient pdonez.

Itm pur eese du poeple qi ad este greve avant ces houres p outrage lever des dettes le Roi, voet le Roi et g'nt q̄ le Tresorer et Barouns de Lescheker puissent tminer & estaller chescuny dette due au Roi tanq̄ al sūme de trois Centz livres, solonc lestat de les dettours, sauve lour contenaunce. Et qil charge nemye les viscountes, baillifs des fraunchises, ne autrs q̄ ount aconter a Lescheker, de nulle sūme lever de nuly, sil se charge de tant come il poet lever p son sment sanz abatement de la contenance del dettour; mes soient les respons des viscontes et autrs tieux ministres acceptez solonc les pointz de lor sment.

Itm le Roi voet q̄ desormes nul soit charge de soi armer autrement qil ne soleit entemps de ses auncestres Roys Dengletre; Et q̄ nuls soient destreintz daler hors de lour Countez, si noun p cause de necessite de sodeyne venue des estraunges enemys en Roialme; et adonqes soit fait come ad este fait avant ces houres pur defens du Roialme.

Et pur ceo q̄ la cōmune de poeple ad sentu graunte grevaunce de ceo, q̄ q'nt ils g'nterent au Roi eyde de lour biens, & cteins gentz ount este assignez de

STATUTE THE SECOND.

TO the Honour of God and of Holy Church, and to the redress of the Oppressions of the People, King Edward [the Third,'] at his Parliament holden at Westminster after the Purification of our Lady, in the First Year of his Reign, at the request of the Commonalty of his Realm, by their Petition made before him and his Council in the Parliament, by Assent of the Prelates, Earls, Barons, and other great Men assembled at the said Parliament, hath granted for him and his Heirs for ever these Articles underwritten.

I. Confirmation of the Charters.

FIRST, that the Great Charter of the Liberties, and the Charter of the Forest be observed and kept in every Article. And that the Perambulations of the Forest (2) in time of King Edward, Grandfather to the King that now is, be from henceforth holden in the like Form as it was then riden and bounded; and thereupon a Charter to be made to every Shire where it was riden [and bounded.] And in such Places where it was not [bounded,3] the King will that it shall be [bounded 4] by good Men and lawful, and that a Charter be thereupon made as afore is said. Item, every Man that hath any Wood within the Forest may take Houseboot and Heyboot in his said Wood, without being attached for the same by any Ministers of the Forest, so that he do the same by the View of the Foresters.

Perambulations of Forests.

II. House-boot & Hey-boot within the Forest.

Seising of Bishops' Temporalties.

AND because before this Time in the Time of King Edward, Father to the King that now is, the King by evil Counsellors caused to be seised into his Hands the Temporalties of divers Bishops, with all their Goods and Chattels therein found, without any Cause (5) and the same held in his Hands by a long Season, and continually thereof took the Profits, to the great Damage of the same Bishops, Wastes and Destructions of all their Castles, Manors, Parks, and Woods: The King will and granteth, That from henceforth it shall not be done.

III. The late King's Pardon of Issues and Amerciaments.

ITEM, Whereas King Edward, Father to the King that now is, in Times past had pardoned his People of all Issues and Amerciaments, till the xx. Year of the Reign of his Father, and afterward without having regard to the said Pardon, the said Issues and Amerciaments have been levied, to the great Damage of the People: The King will that as touching the same Issues and Amerciaments, his Father's grant shall be executed. And that the Jews' Debts be also pardoned.

The Jews Debts pardoned.

IV. King's Debts shall be paid according to the Debtors Estates.

ITEM, For the ease of the People which hath been before this Time grieved by outrageous levying of the King's Debts; The King will and granteth, that the Treasurer and Barons of the Exchequer may determine and [ordain6] every Debt due to the King to the Sum of three hundred pound, according to the Estate of the Debtors, saving always their countenance. And that they shall not charge the Sheriffs, Bayliffs of Liberties, nor none other Accomptants in the Exchequer, to levy any Sum of any Person, if he do charge him of as much as he may levy by his Oath, without abating the Debtor's Countenance; but the Answers of the Sheriffs, and of other Ministers, shall be taken according to the Point of their Oaths.

V. Of Military Service.

ITEM, The King will that no Man from henceforth shall be charged to arm himself, otherwise than he was wont in the Time of his Progenitors Kings of England; and that no Man be compelled to go out of his Shire, but [where necessity requireth, and sudden coming7] of strange Enemies into the Realm; and then it shall be done as hath been used in times past for the defence of the Realm.

VI. Abuses in taxing Aids to the King.

ITEM, Because the Commons have felt great Grief, whereas they granted any Aid to the King of their Goods, and certain were assigned to tax their Goods, and the

[1] *Son of King Edward, the Son of King Edward, the Son of King Henry,*
[2] *that were riden*
[3] } riden *MS. Tr.* 2.
[4] }
[5] *and arraignment*
[6] stalle *Old Printed Copies*—estalle *MS. Tr.* 2.
[7] only for cause of necessity of sudden coming—*See Stat.* 4 *Hen. IV. c.*13.

Taxers have levied the same Tax, and yielded their Accompt for the same at the Exchequer, and there paid the Money; Justices have been assigned after to enquire of their doings; which Justices have taken Ransoms and Fines of the Taxers and other, by colour of their Commissions, to the great Oppression and Impoverishing of them; The King will, that from henceforth they shall be taxed after the old manner, and not otherwise.

VII. Charges in the Conveyance of Soldiers.

ITEM, Whereas Commissions have been awarded to certain People of Shires to prepare Men of Arms, and convey them to the King into Scotland or Gascoign, or elsewhere, at the charge of the Shires; the King hath not before this Time given any Wages to the said Preparers and Conveyers, nor Soldiers whom they have brought, whereby the Commons of the Counties have been at great Charge, and much impoverished; The King will that it shall be done so no more.

VIII. Stat. Marlb. 52 Hen. III. chapter 11. confirmed.

ITEM, Whereas some of the Realm have grievously complained, that they be grieved by Sheriffs, naming themselves the King's Approvers, which take Money by Extortion for Beaupleader; The King will, That the Statute of Marlebridge shall be observed and kept in this Point.

IX. Liberties of Cities, &c.

ITEM, The King will, That Cities, Boroughs, and franchised Towns, shall enjoy their Franchises, Customs, and Usages, as they ought and were wont to do.

X. The King's Demand of Corodies, &c.

ITEM, Whereas Archbishops, Bishops, Abbots, Priors, [Abbesses, and Prioresses [1]] have been before this Time sore grieved by the King's Requests and his Progenitors, which have desired them by great Threats, for their Clerks and other Servants, for great Pensions, Prebends, Churches, and Corodies, so that they might nothing give nor do to such as had done them Service, nor to their Friends, to their great Charge and Damage; The King granteth, that from henceforth he will no more such Things desire, but where he ought.

XI. Prohibition to the Spiritual Court in Suits against Indictors for Defamation.

ITEM, [The Commons [2]] do grievously complain, that when divers Persons, as well Clerks as Lay People, have been indicted before Sheriffs in their Turns, and after by Inquests procured, be delivered before the Justices; after their Deliverance they do sue in the Spiritual Court against such Indictors, surmising against them that they have defamed them, to the great Damage of the Indictors, wherefore many People of the Shire be in fear to indict such Offenders; The King will, that in such Case every Man that feeleth himself grieved thereby, shall have a Prohibition formed in the Chancery upon his Case.

XII. Fine for Alienation of Lands holden of the King.

ITEM, Whereas divers People of the Realm complain themselves to be grieved, because that Lands and Tenements which be holden of the King in chief, and aliened without Licence, have been seised heretofore into the King's Hands, and holden as forfeit; The King shall not hold them as forfeit in such Case, but will and grant from henceforth, of such Lands and Tenements so aliened, there shall be reasonable Fine taken in the Chancery, by due Process.

XIII. Purchasing of Lands holden of the King as of some Honour.

ITEM, Whereas divers have complained, that they be grieved by reason of purchasing of Lands and Tenements which have been holden of the King's Progenitors that now is, as of Honours, and the same Lands and Tenements have been taken into the King's Hands, as though they had been holden in chief of the King, as of his Crown; The King will, That from henceforth no Man be grieved by any such Purchase.

XIV. Maintenance.

ITEM, Because the King desireth that common Right be administered to all Persons, as well poor as rich; he commandeth and defendeth, that none of his Counsellors, nor of his House, nor none other of his Ministers, nor no great Man of the Realm by himself, nor by other, by sending of Letters, nor otherwise, nor none other in this Land, great nor small, shall take upon them to maintain Quarrels nor Parties in the Country, to the let and disturbance of the Common Law.

XV.

ITEM, Whereas many in this Realm in the Time of the King's Father that now is, by means of his false and evil Counsellors, have been excited by Dures, to bind

[1] Ladies of Religion, and others, *MS. Tr.* 2.

[2] many Men *MS. Tr.* 2.

lour biens taxer, et ceux taxours ount leve le taxe et de ceo renduz lor acounte a Leschekier, et les deneers paiez illoeqes, cteyns Justices ount este assignez aps denquere s' lour faitz, les queux Justices ount pris raunceons & fyns des taxours et autr̃ p colour de lour comissions, en g'nt oppssion & empoverissement de eux; Le Roi voet q̃ desore soien taxez solonc lanciene manere & nemye autrement.

Ensement q̃ q'nt cõmissions ount este maundez a cteynes gentz des Counteez darraier gentz darmes, & de eux mener au Roi en Escoz en Gascoign ou aillours, a les coustages des Comtees, le Roi nad my ordene avant ces houres des gages des ditz arraiours & mesnours, ne des gentz darmes queles ils ount mesne, p quoi la cõmune des Countes ad este g'ntement charge et enpoverie; Le Roi voet q̃ mes ne soit fait.

Purceo q̃ ascuns du roialme se soũt grevement pleintz qils sount grevez p viscountes q̃ se fount nomer approuours le Roi, qi pnent deners de eux p extorsion p' ce qils ne deyvent estre atchesonez de bel pleder devant eux; Le Roi voet q̃ lestatut de Marlebergh en cel poynt soit garde & tenutz.

Auxint voet le Roi q̃ les Citees, Burghs, & villes de franchises [eient leur franchises'] usages, & franches custumes, solonc ce qils deyvent avoir et soleyent.

Et p' ce q̃ Ercevesqes, Eveaqes, Abbees, Priours, Dames de religion et autrs ount este avant ces houres g'ndement grevez p priers des Roys, q̃ lor ũt prie p g'ndes manaces pur lour Clerks & autrs lor svantz, p' grosses empensions, provendes, Eglises et Corodies, issint qils ne poent rien doner ne faire a ceux q̃ lour avoient svi, ne a lor amys, a g'nt charge et damage de eux; Le Roi ne voet desore prier, mes la ou il devera.

Auxint plusours gentz sont grevement pleyntz q̃ q'nt divses gentz, auxibien Clerks come lays, ount este enditez devant viscontes en lour tours, & puis p enqueste pcure sont delivez devant Justices, & aps lor delivance suient en Court Crestiene devs les enditours, ensurmettaunt eux q̃ eux lor ount diffame, a graunt damage des ditz enditours, p quoi plusours gentz des Countees se doutent plus denditer les malveys; Le Roi voet q̃ en tieux cas chescun q̃ se sent greve, eyt s' ce phibicion en Chauncellerie fourme en son cas.

Por ceo q̃ plusours gentz du roialme se pleynent estre grevez de ce, q̃ tres & tenementz q̃ sont tenutz en chief du Roi, et alienez sanz son conge, ont este pris avant ces houres en la meyn le Roi, et tenutz come forfaitz; Le Roi ne les tient mye come forfaitz en tieux cas; mes voet & g'nt q̃ desoremes des tieux tres et tenementz [alienez [2]] soit renable fin pris en Chauncellerie p due ꝑces.

Et auxint come plusours gentz de people se pleynent estre grevez p reson des p'chacz des tres & tenementz q̃ ount este tenutz des auncestres le Roi qore est, come des hon's, & mesmes tieux tenementz ount este pris en la meyn le Roi, auxint come ils eussent este tenutz en chief du Roi come de sa corone; Le Roi voet q̃ mes ne soit hõme enchesone p' nul tiel purchace.

Itm pur ceo q̃ le Roi desire q̃ comun droit soit fait as toutz, auxibien a povres come a riches, il comaund & defend q̃ nul de ses conseillers, ne nul de son Hostel, ne de ses autrs ministres, ne nul g'nt de la tre p lui ne p autre, p maundement des tres nen autre manere, ne nul autre du roialme petit ne graunt nenpnent de meyntener querels ne ꝑties en pays en desturbaunt la cõmune lei.

Itm come plusours gentz du roialme, en temps le Roi piere le Roi qore est, p ses falx & malveys conseillers, ount este meane p duresce de eux lier p

[1] Interlined on the Roll.

escritz de venir au Roi a force & armes, en chescun temps qils furent maundez, sur peine de vie & de membre, & de q^{s}nt qil p^{r}roient forfaire; p force des queux escritz plusours de la ꝑre ount este diꝑsement destrutz; Le Roi eyaunt regard q̃ tieux escritz furent faitz a deshonour du Roi, desicome chescun feust tenu de faire au Roi come a seign^{r} lige ceo q̃ a luy appendoit sanz escrit, Voet q̃ tieux escritz desormes ne soient faitz; et q̃ ceux q̃ sont faitz, p la veue de Chanceller & Tresorer, soient monstrez au Roi; & le Roi fra dampner ceux q̃ sont faitz contre droit & reson.

Itm pur la pees meultz garder & meyntener, le Roi veot qen chescun Countee q̃ bones gentz & loialx, queux ne sont mye meyntenours de malveis baretz en pays, soient assignez a la garde de la pees.

Itm le Roi comaunde q̃ les viscontes & Baillifs des franchises, & toutz autr̃s q̃ pnent enditementz a lor tourns, ou ailliours ou enditementz ꝺrount faitz, preignent tieux enditementz p roule endente dount Lune ptie demeorge ꝑs les enditours, & lautre ptie deꝑs cely qi prendra Lenqueste, issint q̃ les enditementz ne soient beseleez come avant ces houres ount este, & issint q̃ un de lenqueste peut monstrer lune ptie de lendenture a la Justice q^{s}nt il vendra p^{r} la deliꝑaunce faire.

Memorand qd̃ ista duo statuta ꝑcedencia missa fuerunt in Hibn̄ in forma patenti, cum quodam br̃i inferi^{o} seqñ.

themselves by Writing, to come to the King with Force and Arms, whensoever they should be sent for, upon Pain of Life and Limb, and to forfeit all that ever they might forfeit; by virtue of which Writings divers of this Land have been often destroyed: The King, considering that such Writings were made to the King's dishonour, sithence that every Man is bound to do to the King, as to his Liege Lord, all that pertaineth to him without any manner of Writing, Willeth, that from henceforth no such Writing be made; and that such as be made, by the sight of the Chancellor and Treasurer, shall be shewed to the King; and the King shall cause all such as be made against Right and Reason to be cancelled.

None shall be bound by Writing to come with Arms to the King.

ITEM, For the better keeping and maintenance of the Peace, the King will, that in every County good Men and lawful, which be [no Maintainers of Evil, or Barretors [1]] in the Country, shall be assigned to keep the Peace.

XVI. Keepers of the Peace in each County.

ITEM, The King commandeth, That the Sheriffs and Bailiffs of Franchises, and all other that do take Indictments in their Turns, or elsewhere, where Indictments ought to be made, shall take such Indictment by Roll indented, whereof the one Part shall remain with the Indictors, and the other Part with him that taketh the Inquest; so that the Indictments shall not be imbezilled as they have been in times past; and so that one of the Inquest may shew the one part of the Indenture to the Justices, when they come to make Deliverance.

XVII. Indictments shall be taken by Indenture.

[1] No Maintainers of cursed Barretors *MS. Tr.* 2.

Be it Remembered, that the two preceding Statutes were sent into Ireland in form of Letters Patent, with a certain Writ hereunder following.[2]

[2] See Memorandum at the End of Stat. 5 Edw. III.

Anno 2° EDWARDI, III. A.D. 1328.

Statutū editū apud Norh't', anno r. R. E. t'cii post conquestū sc'do.

STATUTE made at NORTHAMPTON;

In the Second Year of the Reign of K. EDWARD the Third after the Conquest.

Ex magno Rot. Stat. in Turr. Lond. m. 28.

Nr̃e seign^{r} le Roi Edward, le tierz aꝑs le conqueste, a son plement tenuz a Norht as trois semeins de Pasch̃, Lan de son regne secund, desiraunt q̃ la pees de sa ꝑre, & les leis & estatuz avant ces heures ordenez & usez, soient gardez & meintenuz en touz poyntz, Al hon^{r} de dieu & de seinte eglise, & a cõe pfit du poeple, p assent des Prelatz, Countes & Barons & autres g^{s}ntz, & tote la cõe du roialme, au dit plement somons, ordena & establit en meisme le plement les choses southescrites en la forme q̃ sensuit.

En primes q̃ la g^{s}nte Chartre & la Chartre de la foreste soient tenuz en touz pointz.

Ensement p^{r} ceo q̃ meffesours ont este esbauditz de ce q̃ chartres de pdoun ont este si leg̃ment g^{s}ntees avant ces heures, des homicides, robies, felonies & autres trespas countre la pees; acorde est & establi q̃ tiels chartres ne soient mes g^{s}ntees fors qen cas ou le Roi le poet faire p son ꝺment, cest assavoir en cas ou home tue autre soi defendant, ou p infortune: Et auxint ont este esbauditz de ceo q̃ Justiceries as deliꝑances des gaoles, & a oier & ꝑminer, ont estez g^{s}ntees as gentz pcurez countre forme de lestatut fait en temps le Roi Edward, ael

OUR Lord King Edward, the Third after the Conquest, at his Parliament holden at Northampton, at the three weeks of Easter, in the second year of his Reign, desiring that the Peace of his Land, and his Laws and Statutes, ordained and used before this Time, may be kept and maintained in all Points; to the Honour of God and of Holy Church, and to the common Profit of the People, by Assent of the Prelates, Earls, Barons, and other great Men, and all the Commonalty summoned to the same Parliament, hath ordained and established in the said Parliament these Things underwritten, in Form following.

FIRST, That the Great Charter, and the Charter of the Forest, be observed in all Points.

I. The Charters.

ITEM, Whereas Offenders have been greatly encouraged, because [the [1]] Charters of Pardon have been so easily granted in times past, of Manslaughters, Robberies, Felonies, and other Trespasses against the Peace; It is ordained and enacted, That such Charter shall not be granted, but only where the King may do it by his Oath, that is to say, where a Man slayeth another in his own defence, or by Misfortune: And also they have been encouraged, because that [[2] the Justices of Gaol-delivery, and of Oyer and Terminer, have been procured by great Men [2]] against the Form of the Statute made in the xxvij year of the reign of King Edward,

II. Pardons for Felony.

[1] that

[2] *Commissions of Gaol Delivery and of Oier and Terminer have been granted to Persons procured*

27 *Ed. I. c.* 3. Grandfather to our Lord the King that now is, wherein is contained, that Justices assigned to take Assises, if they be Laymen, shall make Deliverance; and if the one be a Clerk, and the other a Layman, that the Lay Judge, with another of the Country associate to him, shall deliver the Gaols: Wherefore it is enacted, That such [Justices [1]] shall not be made against the Form of the said Statute; and that the Assises, Attaints, and Certifications be taken before the Justices commonly assigned, which should be good Men and lawful, having Knowledge of the Law, and none other, after the Form of another Statute made in the Time of the said [King Edward the First;[2]] and that the Oyers and Terminers shall not be granted but before Justices of the one Bench or the other, or the Justices Errants, and that for great [hurt,] or horrible Trespasses, and of the King's special Grace, after the Form of the Statute thereof ordained in Time of the said Grandfather, and none otherwise.

Justices of Assise and Gaol-delivery.

Oyers and Terminers.

III. Riding or going armed in Affray of the Peace.

ITEM, It is enacted, That no Man great nor small, of what Condition soever he be, except the King's Servants in his presence, and his Ministers in executing of the King's Precepts, or of their Office, and such as be in their Company assisting them, and also [upon a Cry made for Arms to keep the Peace, and the same in such places where such Acts happen,[3]] be so hardy to come before the King's Justices, or other of the King's Ministers doing their office, with force and arms, nor bring no force in affray of the peace, nor to go nor ride armed by night nor by day, in Fairs, Markets, nor in the presence of the Justices or other Ministers, nor in no part elsewhere, upon pain to forfeit their Armour to the King, and their Bodies to Prison at the King's pleasure. And that the King's Justices in their presence, Sheriffs, and other Ministers ([4]) in their Bailiwicks, Lords of Franchises, and their Bailiffs in the same, and Mayors and Bailiffs of Cities and Boroughs, within the same Cities and Boroughs, and Borough-Holders, Constables, and Wardens of the Peace within their Wards, shall have Power to execute this Act. And that the Justices assigned, at their coming down into the Country, shall have Power to enquire how such Officers and Lords have exercised their Offices in this Case, and to punish them whom they find that have not done that which pertained to their Office.

IV. The Statute of Lincoln, 9 Edw. II. concerning Sheriffs, &c. confirmed.

ITEM, Because the Peace cannot be well kept without good Ministers, as Sheriffs, Bailiffs, and Hundreders, which ought to do Execution as well of the King's Privities as of other Things touching our Lord the King and his People; It is ordained and established, That the Statute made in the time of King Edward, Father to the King that now is, at Lincoln, containing that Sheriffs, Hundreders, and Bailiffs shall be of such People as have Lands in the same Shires or Bailiwicks, shall be observed in all Points after the Form thereof; and that Sheriffs and Bailiffs of Fee shall cause their Counties and Bailiwicks to be kept by such as have Lands therein.

V. The Statute Westminster the Second, 13 Edw. I. chapter 39, concerning the Delivery of Writs to the Sheriff, confirmed.

ITEM, Where it was ordained by the Statute of Westminster the Second, that they which will deliver their Writs to the Sheriff, shall deliver them in the full County, or in the Rere County, and that the Sheriff or under Sheriff shall thereupon make a Bill; It is accorded and established, that at what Time or Place in the County a Man doth deliver any Writ to the Sheriff or to the Under-Sheriff, that they shall receive the same Writs, and make a Bill, after the form contained in the same Statute, without taking any Thing therefore; and if they refuse to make a Bill, others that be present shall set to their Seals; and if the Sheriff or Under-Sheriff do not return the said Writs, they shall be punished after the form contained in the same Statute; and also the Justices of Assises shall have power to enquire thereof at every Man's Complaint, and to award Damages, as having respect to the Delay, and to the loss and peril that might happen

[1] *Commissions* [2] *Grandfather*

[3] *upon a Proclamation of Deeds of Arms in time of Peace, and that in Places where such Deeds are to be done,*—See Lib. Rub. Scac. Westm. fo. 122 b. a Writ reciting a Grant of K. Richard I. q̄d Torneamenta sint in Angl in v. placeis: Int̄ Sarr̄ & Wiltoñ: Int̄ Warrewich & Kenelingworth: Int̄ Stanford & Warneford: Int̄ Brakele & Mixebr̄: Int̄ Blie & Tykehill. Ita q̄d pax r̄e nr̄e nō infringet', nec potestas Justiciaria minorabit' Nec de forestis nr̄is dāpnū inferet'."

[4] *of the King*

nr̄e Seign' le Roi qore est, en quele est contenuz q̄ les Justices as assises p̄ndre assignez sils soient lais, facent les deliv̄ances; et si lun soit clerc, & lautre lais, q̄ le dit lais, associe a lui un autre du pais, facent la deliv̄ance des gaols; p qoi acorde est & establi, q̄ tiels Justiceries ne soient mes g'ntees countre la forme du dit estatut, & q̄ les assises, atteintes, & c̄tifications soient p'ses devant les Justices cōmunement assignez, q̄ soient bones gentz & loialx & conissantz de la lei, & nemie autres; solonc la forme dun autre statut fait en temps meisme le ael; et q̄ les oiers & t̄miners ne soient grantees forsq ---- devant les Justices de lun Baunk & de lautre, ou les Justices errantz; & ce p' led & orrible trespas, & de lespeciale g'ce le Roi, solonc forme de statut de ce ordene en temps meisme le ael; & nemie autrement.

Ensement acorde est & establi, q̄ nul, g'nt ne petit de quele condicion qil soit, sauve les s̄jantz le Roi en la p̄sence le Roi, & les Ministres le Roi, enfesantz execucion des mandementz le Roi, ou de lour office, & ceux qi sont en lour compaignies, eidantz as ditz ministres, & auxint au cri de fait darmes de pees, & ce en lieux ou tielx faitz se ferront, soit si hardi de venir devant les Justices le Roi, ou autres Ministres le Roi enfesant lour office, a force & armes; ne force mesner en affrai de la pees, ne de chivaucher ne daler arme, ne de nuit ne de jour, en faires, marchees, nen p̄sence des Justices, ne dautres Ministres, ne nule part aillours, sur peine de pdre lour armures au Roi & de lour corps a la prisone a la volunte le Roi. Et q̄ Justices le Roi en lour p̄sences, viscountes & autres Ministres le Roi en lour baillies, seign's des fraunchises & lour baillifs en yceles, & Meire & Baillifs des Citees & Burghs deinz meismes les Citees & Burghs, Burghaldres, conestables, & gardeins de la pees deinz lour gardes, eient poair affaire execucion de cest acord. Et q̄ les Justices assignez, a lour venu en pais, eient poair denquere coment tielx Ministres & seign's ont use lour office en ce, & de punir ceux qils trov̄ont, qi nount mie fait ce q̄ a lour office appent.

Et p'ce q̄ la pees ne pdet mie estre bien garde sauntz bons ministres, come Viscountes, Baillifs, & Hundreders qi deivent faire execucion, auxibien des p'vetez le Roi come dautres choses tochantes le Roi & son poeple, acorde est & establi q̄ lestatut fait en temps le Roi Edward, piere le Roi qore est, a Nicole, contenant q̄ Viscontes, Hundreders & Baillifs soient des gentz eantz t̄res en meismes les Countez, ou baillies, soit garde en touz pointz solonc la forme dycel, & auxint q̄ les Viscountes & Baillifs de fee, facent garder meismes lour Countez & Baillies p gentz eantz t̄res en yceles.

Ensement la ou ordine est, p statut de Westmonst̄ le secund, q̄ ceux q̄ liv̄er volent lour briefs as viscountes, les liv̄ent en plein Counte, ou en rerecounte, & q̄ visconte ou southvisconte facent sur ce bille; acorde est & establi q̄ a quele heure ou a queu lieu deinz le Counte home livre a viscountes, ou a southviscontes, briefs, qils les resceivent & facent bille en la forme contenue en le dit estatut, & ce sanz rien p̄ndre; et sils refusent de faire bille, mettent autres lour sealx qi s̄ront p̄sentz; et si le Viscounte ou le Southviscounte ne retorne mie les briefs, soient puniz solonc la forme contenue en le dit estatut; & jadumeins eient les Justices as assises p̄ndre assignez poair denquer de ce a chescuny pleinte & de agarder damages, eant regard au delai, & a les ptes & pils qi p'ront avenir.

Et q'nt a la garde de la pees en temps avenir, acorde est & establi q̃ les estatuz faites en temps passez, ovesq̃ lestatut de Wyncestr̃, soient tenuz & gardez en touz pointz; ajouste au dit estatut de Wyncestr̃, la ou contenuz est en la fin, q̃ Justices assignez eient poair denquere des defautes & des reporter au Roi en plement, dont home nad pas veu issue, q̃ les ditz Justices assignez eient poair de punir les desobeissantz & contrevenantz.

Et q'nt au punissement de felonies, robies, homicides, trespas & opp'ssions du poeple, faitz en temps passe; acorde est q̃ nr̃e Seign' le Roi assigne Justices en div's lieux de sa t're, ove le Baunk le Roi p aillours, come estoit faite en temps de son dit ael, des g'ntz de la t're qi sont de g'nt poair, ovesq̃s ascuns des Justices de lun Baunk ou de lautre, ou autres sages de la lei, denquere, auxibien a seute de ptie, come a la seute le Roi, et doier & t'miner totes mañes des felonies, robies, homicides, larcins, opp'ssions, conspiracies, & grevances faitz au poeple, countre la lei, Les estatuz & la custume de la t're, auxibien p ministres le Roi come p autres, qi qils soient, & ce auxibien dedeinz fraunchises come dehors. Et auxint denquere des Viscontes, Coroners, Southeschetours, Hundreders, Baillifs, Conestables, & touz autres Ministres deinz franchise & dehors, & lour southministres, & doier & t'miner a la seute le Roi & de ptie. Et nr̃e Seign' le Roi & touz les g'ntz du Roialme en plein plement ont empris de meintenir la pees, garder & sauver les Justices le Roi, p la ou ils veignent, & deider p eux & les leurs, q̃ les juggementz & les execucions ne soient pas arestuz, mes executz, & q̃ le meffesours ne s'ront p eux co'tz ne meintenuz en p've nen apt: Mes nest pas lentencion du Roi ne de son conseil q̃ p ceste acord p'judice aveigne a les g'ntz de la t're, eantz franchises, ne a la Citee de Loundres, ne as autres Citees ne Burghs, ne a les Cynkportz en droit de lour fraunchises.

Ensement acorde est & establi q̃ mande ne soit, p le g'nt seal ne p le petit seal, a destourber ou delayer cõe droit; & mesq̃ tielx mandementz veignent q̃ p tant les Justices ne s'sessent pas de faire droit en nul point.

Ensement est acorde & establi q̃ les estaples p decca & p delaa, ordeinez p les Rois en temps passe, & les peines sur ce ordeinees, cessent; & q̃ touz marchantz aliens & p'veez peussent aler & venir od lour marchandises en Engle't're, solonc la tenour de la g'nte Chartre; & q̃ s' ceo briefs soient mandez a touz les viscontes Dengle't're & as Meires & baillifs des bones villes ou mestier s'ra.

Ensement come le Roi Edward, piere le Roi q̃ore est, pdona a son poeple amciementz & issues forfaitz, jesq̃s al vintisme an du regne son piere ael le Roi quore est, le Roi p' ees de son poeple ad pdone touz les fins q̃ ont este faitz en Chauncellerie p' briefs avoir, tanq̃ al vintisme an avantdit.

Et p' ce q̃ p remuement du cõe Bank les pleez bien sovent ont demore saunz jour, a g'ntz damage, & en pil de desh'tance des pluseurs; acorde est & establi q̃ desore en avant les Justices, avant ce q̃ le Bank se remuera, soient garniz p temps, issint queux peussent ajorner les pties si p temps q̃eles ne pdent mie lour pces.

Et come touz les Countez Dengle't're furent auncienement assis a c'teine ferme, & adonq̃s furent touz les Hundredz & les Wapentakes, en les meins des viscountes, aporcionez a cele ferme, et puis furont approwours mandez en div's Contez, les queux encrustrent les fermes dascuns Hundredz & Wapentakes, et puis les Rois en div's temps ont g'ntez as div's gentz pties des Hundredz & Wapentakes, p' les auncienes fermes tantsoulement, & jatardeis les viscountes sont chargez entierment del

ITEM, As to the keeping of the Peace in Time to come, It is ordained and enacted, that the Statutes made in Time past, with the Statute of Winchester, shall be observed and kept in every point; [and where it is contained in the End of the said Statute of Winchester,[1]] that the Justices assigned shall have power to enquire of Defaults, and to report to the King in his Parliament, [and the King to remedy it,[2]] which no Man hath yet seen ([3]) the same Justices shall have Power to punish the Disobeyers and Resisters.

VI. The Statute of Wynton, 13 *Edw. I.* confirmed, &c.

ITEM, As to the Punishment of Felonies, Robberies, Manslaughters, Trespasses, and Oppressions of the People committed in times past: It is accorded that our Sovereign Lord the King, shall assign Justices in divers places of this Land, [within the King's Bench, and elsewhere,[4]] as it was done in the Time of his said Grandfather, of great Men of the Land, which be of great Power, with some of the Justices of the one Bench, or of the other, [with[5]] other learned Men in the Law, to enquire as well at the Suit of the Party, as at the King's Suit, and to hear and determine all manner of Felonies, Robberies, Manslaughters, Theft, Oppressions, Conspiracies, and Grievances done to the People against the Law, Statutes, and Customs of the Land, as well by the King's Ministers, as by other whatsoever they be, and that as well within Franchises as without. And also to enquire of Sheriffs, Coroners, [Under Sheriffs,[6]] Hundreders, Bailiffs, Constables, and all other Ministers within Liberties and without, and of their under-ministers; and to hear and determine at the King's Suit, and also the Party's. And our Sovereign Lord the King, and all the great Men of the Realm in the full Parliament, have taken upon them [to maintain and keep the peace; and they and theirs to save the King's Justices, and aid them where they come, so that the judgement[7]] and executions be not let, but executed; and the Offenders be not hid by them, nor maintained privily nor apertly: but the intent of the King and his Council is not, that by this Act any prejudice should ensue to the great Men of the Land having Liberties, nor to the City of London, nor to other Cities nor Burghs, nor to the Five Ports in the right of their Franchise.

VII. Justices assigned to enquire of Felonies, Robberies, &c.

ITEM, It is accorded and established, That it shall not be commanded by the great Seal nor the little Seal to disturb or delay common Right; and though such Commandments do come, the Justices shall not therefore leave to do right in any point.

VIII. Commands shall not be in delay of Justice.

ITEM, It is enacted, That the Staples beyond the Sea and on this Side, ordained by Kings in Times past, and the Pains thereupon provided, shall cease; and that all Merchant Strangers and privy, may go and come with their Merchandises into England, after the Tenor of the Great Charter; and that Writs thereupon shall be sent to all Sheriffs of England, and to Mayors and Bailiffs of good Towns, where need shall require.

IX. All Staples shall cease.

ITEM, Whereas King Edward, Father to the King that now is, did pardon his People of Issues and Amerciaments, that were forfeit till the twenty year of the Reign of his Father, Grandfather to the King that now is: The King for ease of his People, hath pardoned all the Fines that have been made in the Chancery, for to have Writs till the xx. year aforesaid.

X. Pardon of Fines for Writs in Chancery.

ITEM, Whereas by removing of the Common Bench, the Pleas have oftentimes abiden without Day, to the great hurt, and peril of Disherison of divers; It is enacted, That from henceforth the Justices before that the Common Bench be removed, shall be warned by a Time, so that they may adjourn the Parties by such Time that they shall not lose their Process.

XI. The Common Bench not to be removed without Warning.

ITEM, Whereas all the Counties in England were in old Time assessed to a certain Ferm, and then were all the Hundreds and Wapentakes in the Sheriffs Hands rated to this Ferm; and after were Approvers sent into divers Counties, which did increase the Ferms of some Hundreds and Wapentakes; and after, the Kings at divers Times have granted to many Men part of the same Hundreds and Wapentakes for the old Ferms only; and now late the Sheriffs be wholly charged of the

XII. Hundreds and Wapentakes shall be annexed to Counties, and not let to Ferm.

[1] *add to the said Statute of Winchester, where it is contained at the end thereof*

[2] Not in the Original.

[3] *the effect of, that*

[4] *with the King's Bench besides,*

[5] *or*

[6] *Sub-Escheators*

[7] *to maintain the peace, to keep and save the King's Justices wheresoever they come, and to aid by themselves, and theirs, that the Judgements*

Increase, which amounteth to a grçat Sum, to the great hurt of the People, and Disherison of the Sheriffs and their Heirs: It is ordained, That the Hundreds and Wapentakes let to Ferm by the King that now is, be it for Term of Life or otherwise, which were sometimes annexed to the Ferms of the Counties where the Sheriffs be charged, shall be joined again to the Counties; and that the Sheriffs and their Heirs have Allowance for the Time that is past; and that from henceforth such Hundreds and Wapentakes shall not be given nor severed from the Counties.

XIII. Trespass in the late King's Time.

ITEM, It is accorded and enacted, that like process shall be made of Trespass done in the Time of King Edward, father to the King that now is, as of Trespass done in the Time of the King that now is.

XIV. Measure and Assise of Cloths imported.

ITEM, It is enacted by our Sovereign Lord the King, and his Council, that from the Feast of Saint Michael, next coming forward, all Cloths in such Places where they shall be put to Land, shall be measured by the King's Aulnegeours in the presence of the Mayor and Bailiffs, where there is a Mayor, and where no Mayor is, in presence of the Bailiffs of the same Places; that is to say, the Length of every Cloth of Ray, by a Line of seven Yards, four times measured by the List, and the Breadth of every Ray Cloth six Quarters of measure by the Yard; and of coloured Cloths the Length shall be measured by the Back, by a Line of six Yards and a half, four times measured, and the breadth six Quarters and an half measured by the yard without [defoiling [1]] the Cloths; and that the Mayor and Bailiffs where a Mayor is, or the Bailiffs where no Mayor is, of the Towns or Places where such Cloths shall come, shall be ready to make Proof what time they shall be required by the Meter, without taking any thing of the Merchants; and Cloths which be of the said Assise, shall be marked by the Mayor and Bailiffs, where a Mayor is, or by the Bailiffs where there is no Mayor, as well as by the Aulnegeour; and that all the Cloths which shall be found defective of the same Assise, shall be forfeit to the King, and prised at their true Value in the presence of the said Mayor and Bailiffs; and to remain with the Aulnegeours by Indenture between them, to answer to the King of the said Cloths so forfeit; and that the Mayor and Bailiffs shall deliver the Indentures made of such Cloths forfeit, every year into the Exchequer, the morrow after the Feast of Saint Michael, for to charge the said Aulnegeour; and at the same time shall the Aulnegeour be put to answer at the Exchequer of the said Forfeitures. It is in the King's mind and his Counsels, that this act shall extend to such Cloths as shall come into the Land after the Feast of Saint Michael; and this act shall be published and proclaimed throughout the Realm, so that no Merchant, Privy nor Stranger, shall be surprised by this Statute.

XV. Keeping of Fairs, for the Time limited by Charter, &c.

ITEM, It is established, That it shall be commanded to all the Sheriffs of England, and elsewhere where need shall require, to cry and publish within Liberties and without, that all the Lords which have Fairs, be it for yielding certain Ferm for the same to the King, or otherwise, shall hold the same for the Time that they ought to hold it, and no longer; that is to say, such as have them by the King's Charter granted them, for the Time limited by the said Charters; and also they that have them without Charter, for the Time that they ought to hold them of right. And that every Lord at the beginning of his Fair shall there do cry and publish how long the Fair shall endure; to the Intent that Merchants shall not be at the same Fairs over the Time so published, upon pain to be grievously punished towards the King; nor the said Lords shall not hold them over the due Time, upon pain to seize the Fairs into the King's hands, there to remain till they have made a Fine to the King for the Offence, after it be duly found, that the Lords held the same Fairs longer than they ought, or that the Merchants have sitten above the Time so cried and published.

XVI. *See Stat.* 12 *Edw. II.* c. 4.

ITEM, Whereas in a Statute made at York, in the Time of the Father of our Lord, the King that now is, it is contained that Inquests and Juries, which be and shall be hereafter taken, requiring no great Examination,

[1] defouling *MS. Tr.* 2.—some old Printed Copies read "marring."

encrees q̃ amount a g"nte sūme, a g"nt damage du poeple & deshitance de viscountes & de lour heirs; acorde est & establi q̃ des Hundredz & Wapentakes baillez a ferme p le Roi qore est, soit il a ꝑme de vie ou autrement, q̃ auncienement furent annex as fermes des Countez ou les viscontes sont chargez, soient rejointz as Countez, et q̃ de temps passe eient les viscountes ou lour heires allowance; & q̃ desore en avant teux Wapentakes, ne Hundredz ne soient donez ne sev̄ez des Countez.

Ensement est acorde & establi q̃ a tieu pces soit fait des trespas fait en temps le Roi Edward, piere le Roi qore est, come de de trespas fait en temps le Roi qore est.

Ensement est acorde & establi p nr̃e Seign' le Roi & son conseil, q̃ de la seint Michel ꝑschein avenir en avant, touz les draps es lieux ou ils ſront mis a ꝑre, soient aunez p le auneour le Roi, en ꝑsence des Meire & Baillifs ou Meire y est, ou des baillifs ou meire nyest, de meisme les lieux; cest assavoir la longure de chescun drap̃ de Raye p une corde de sept aunes quatrefoitz mesure p le list, & la laoure de chescun drap̃ de Reye sis q"rters de lee, mesure p laune; et de draps de colour la longure soit mesure p le dos p un corde de sis aunes & demi q"tre-foitz mesure; & la laoure sis quarts & demi mesure p laune sanz defoler les draps; et q̃ Meire & Baillifs ou Meire y est, ou Baillifs ou Meire nest pas, des villes ou lieux ou les draps vendront, soient ꝑstz a lassai faire, quele heure qils soient requis p launeour, saunz rien ꝑndre des marchauntz; et q̃ touz les draps q̃ ſront trovez de la dite assise, soient n̄chez auxibien p Meire & Baillifs ou Meire y est, ou p baillifs ou Meire nest pas, come p launeour, et les draps q̃ ne ſront pas trovez de lassise avantdite, soient forfaitz au Roi, & p'sez a la v̄reie value, en ꝑsence des ditz Meire & Baillifs, & demoergent dev̄s launeour p endenture entre eux faite, a respondre des ditz draps issint forfaitz au Roi; et q̃ les ditz Meire & Bailiffs, les endentures issint faites de tieux draps forfaitz, facent liv̄er chescun an a Lescheq̃r a lendemeyn de Seint Michel, p' charger le dit auneour; & a meisme le temps soit le dit auneour a Lescheq̃r a respondre des dites forfaitures. Et est lentencion de nr̃e dit Seign' le Roi & de son conseil q̃ cest acord se tiegne des draps q̃ vendront en la ꝑre ap̄s la dite feste de Seint Michel; & q̃ cest acord soit publie & crie p tout le Roialme. Issint q̃ les Marchauntz ne p'vez nestraunges soient supp's p meisme lacord.

Ensement est acorde & establi q̃ maunde soit a touz les viscountes Dengleꝑre, & p aillours ou mestier ſra, a crier & publier, deinz f"unchises & dehors, q̃ touz les Seign's q̃ feires enount, soit il p' ꝑteine ferme ent rendant au Roi, ou autrement, les tiegnent p' le temps qils dev̄ont, & nemie outre; cest asavoir ceux qi les ount p chres des Rois p' les temps a eux g"untez p les dites chres; et ceux qi les ount sanz chre p' temps queux ils les deivent tenir de droit. Et q̃ chescun Seign' au comencement de sa feire face crier & publier en ycele come longement sa feire se tendra, Issint q̃ les Marchantz ne seessent es dites feires outre le temps issint publiez, sur peine destre grevement puniz dev̄s le Roi; ne q̃ les ditz Seign's outre les droitz temps les tiegnent, sur peine ap̄ndre les feires en la meyn le Roi, a demorer tanqils eient fait fin au Roi p' le trespas, ap̄s ceo q̃ trove ſra duement qe les Seign's les ount tenuz plus longement qils dev̄ont, ou q̃ les marchauntz ount sis outre le temps issint publiez & criez.

Et come en un estatut fait a Ev̄wyk, en temps le piere nr̃e Seign' le Roi q̃ore est, soit contenuz q̃ les enquestes & jurees qe sont & ſront ap̄ndre, q̃ ne sont mie de g"nt examinement, soient p'ses devant

un Justice de la place ou la plee est, associe a lui un ꝑdhōme du pais, Chivaler ou autre, issint q̄ ꝺtein jour soit done en Bank, & ꝺtein jour & lieu en pais en ꝑsence de ꝑties, si le demandant le pᵉ; & auxint les enquestes & jurées en plee de ꝛre, qe demandent gᵃnt examinement, soient pᵉses en pais en la forme susdite devant deux Justices du Bank: acorde est & establi q̄ totes tiels enquestes, q̄ sont ou en temps avenir a ꝑndre ꝛront, en plee de ꝛre, soient pᵉses auxibien a la pᵉre le tenant come le demandant; tout lautre ꝑces acorde en dit estatut, en tieu cas sauve & garde.

Auxint est acorde & establi q̄ brief de deceit soit meintenu & lieu tiegne, auxibien en cas de garnissement q̄ touche plee du ꝛre, ou tieu garnissement est done, come en cas de somons en plee de ꝛre.

Ꝛ Vič Norħt, salꝛm. Quoddam statutū ꝑ nos & conciliū nr̄m in pleno ꝑliamento nr̄o apud Norhamptoñ convocato, ad emendaco̅em statꝰ populi regni nr̄i, editū, sigillo nr̄o consignatū tibi mittimꝰ; mandantes qđ statutū illud, & oīes articulos in eo contentos, in pleno Com̄ tuo & in Civitatib̄, Burgis, villis ꝺcatoriis, & aliis locis in balliva tua ubi expedire videris, tam infra liħtates qᵃm extᵃ, legi & publice ꝑclamari & observari fač. T. R. apud Norħt xxii die Junii.

Eodem modo mand est singulis vicecomitib̄ ꝑ Angł.

Memorand qđ istud statutum missum fuit in Hiħn in forma patenti cum quodam bŕi inferius seq̄n.

shall be taken before one Justice of the Place where the Plea is, adjoining to him one discreet Man of the Country, Knight, or other, so that a certain Day be given in the Bench, and a certain Day and Place in the Country, in the presence of the Parties, if the Demandant pray the same; and also the Inquests and Juries in Plea of Land, which require great Examination, shall be taken in the Country in the said Form before Two Justices of the Bench: It is accorded and enacted, That all such Inquests which are, or in Time to come shall be taken, in Plea of Land, shall be taken as well at the Request of the Tenant as the Demandant; all other Process according to the said Statute in such Case saved and kept.

Inquests in the Country shall be granted on Request of the Tenant.

ITEM, It is enacted, That a Writ of Deceit shall be maintainable, and hold Place, as well in the Case of Garnishment touching Plea of Land, where such Garnishment is given, as in case of Summons in Plea of Land. [Dated at Northampton.]

XVII. Writ of Deceit.

The King to the Sheriff of Northampton, Greeting. A certain Statute, by Us and our Council, in our full Parliament called at Northampton, for the Amendment of the State of the People of our Realm, set forth, We do send to you under our Seal; Commanding that the same Statute, and all the Articles therein contained, in your full County Court, and in the Cities, Boroughs, Market Towns, and other Places in your Bailiwick, where you shall see meet, as well within Liberties as without, you do cause to be read and to be publicly proclaimed and observed. Witness the King at Northampton the twenty-second day of June.

In the same manner it was commanded to the several Sheriffs throughout England.

Be it Remembered, that this Statute was sent into Ireland, in form of Letters Patent with a certain Writ hereunder following.[1]

[1] See Memorandum at the end of Stat. 5 Edw. III.

Anno 4° EDWARDI, III. A.D.1330.

Statutū editū apud Westm̄, anno regni R. E. t'cii post conquest' quarto.

STATUTE made at WESTMINSTER;

In the Fourth Year of the Reign of K. EDWARD the Third after the Conquest.

Ex magno Rot. Stat. in Turr. Lond. m. 27.

AU Parlement somons a Westmostier, le Lundy ꝑscheyn apꝛs la feste de Seinte Katine, lan du regne nr̄e Seignr le Roi Edward, tierz apꝛs le Conquest, quart, Si sont les choses soutzescriptes, a la requeste de la Cōmunalte, assentuz & acordez ꝑ nr̄e Seignr le Roi, Prelatz, Countes, Barons, & autres gᵃntz de mesme le plement, les queux choses nr̄e Seignr le Roi voet qen touz les Counteez de Engleꝛre soient mandez, a publier & fermement garder.

Adepᵉmes acorde est q̄ la Gᵃnde Chartre & la Chartre de la Foreste, & les estatuz faitz en temps des ꝑgenitours nr̄e Seignr le Roi, & auxint en son temps demeigne, soient gardez & meyntenuz en touz pointz.

Ensement est acorde q̄ bones gentz & sages, autres q̄ des places si hōme les puisse trover suffisantz, soient assignez en touz les Counteez Dengleꝛre apndre les assises, jureez & ctificacions, & a deliver les gaoles; et q̄ les ditz Justices preignent les assises, jurees, & ctificacions, & deliv̄ent les gaoles, au meyns troiz foitz ꝑ an, & plus sovent si mestier ꝛa, & soient auxint assignez

AT the Parliament, summoned at Westminster, the Monday next after the Feast of Saint Katherine, in the Fourth Year of the Reign of King Edward, the Third after the Conquest, these Things underwritten, at the request of the Commons be established and enacted by our Lord the King, his Prelates, Earls, and Barons, and other (') of the same Parliament; which Things our Lord the King will (²) to be published, and surely observed in all his Counties of England.

FIRST, It is accorded, That the Great Charter, and the Charter of the Forest, and all other Statutes, made as well in the time of the King's Progenitors, as in the King's time that now is be kept and maintained in all Points.

I. Charters and Statutes confirmed.

ITEM, It is ordained, that good and discreet Persons, other than of the Places, if they may be found sufficient, shall be assigned in all the Shires of England, to take Assises, Juries, and Certifications, and to deliver the Gaols; and that the said Justices shall take the Assises, Juries, and Certifications, and deliver the Gaols, at the least three times a Year, and more often, if need be; also there shall be assigned good and lawful Men

II. Justices of Assise, Gaol-delivery, and Justices of the Peace.

[1] *great men* [2] *that they be sent*

in every County to keep the Peace; and [at the Time of the Assignments,[1]] mention shall be made that such as shall be indicted or taken by the said Keepers of the Peace, shall not be let to Mainprise by the Sheriffs, nor by none other Ministers, if they be not mainpernable by the Law; nor that such as shall be indicted, shall not be delivered but at the common Law. And the Justices assigned to deliver the Gaols shall have Power to deliver the same Gaols of those that shall be indicted before the Keepers of the Peace; and that the said Keepers shall send their Indictments before the Justices, and they shall have Power to enquire of Sheriffs, Gaolers, and other, in whose Ward such indicted Persons shall be, if they make Deliverance, or let to Mainprize any so indicted, which be not mainpernable, and to punish the said Sheriffs, Gaolers, and others, if they do any Thing against this Act.

III. Purveyance.

ITEM, Whereas the People hath been greatly grieved because that Corn, Hay, [Litter,] Bestail, and other manner of Victual and Goods of the People, hath been taken in Times past, as well by the Takers and Purveyors for the King's House, as by other, for which no Payment was made; and because also the Takers and Purveyors (') for the King's House, the Queen's House, and their Children, have taken Corn at a less Value than it was worth, and also have taken [twenty-one[2]] Quarters of Corn for twenty Quarters, because they measured every Bushel by Heap, and also the Takers and Purveyors of Hay and Litter for the said Houses, have in times past made Burdens of Hay and Litter at their own Wills, assessing every Burden at an Halfpenny, where it was worth more than two pence, or three pence and also assessed the Carts of Hay and Litter at a less Price than they were worth: It is agreed that no Person great nor small, of what Estate or Condition soever he be, the Takers and Purveyors for the King's House, the Queen's, and their Children only except, shall take any Corn, Litter, or Hay, nor Bestail, Victuals, nor none other Goods or Chattels from any Man, nor make Carriage against the Will of them to whom such Goods and Carriage shall be; and that the said Takers and Purveyors (') for the said Houses, shall take them by Measure (') according as it is used throughout the Realm; and that all the Corn, Hay, Litter, Bestail and other Victuals and Things, whatsoever they be, that shall be taken for the said Houses, shall be from henceforth praised at the very Value by the Constables and other good Men of the Towns where such taking shall be; but the Praisers shall not be constrained by Threats or Duress to set any Price other than their Oaths will; and that of all Things which shall be taken for the said Houses of the King, and Queen, (') and of their Children, the Payments be made before the King depart out of the Vierge.

IV. The Statute 28 Ed. I. c. 2. touching Purveyors, confirmed.

ITEM, It is enacted that the Article contained in a Statute made in the Time of King Edward, Grandfather to our Sovereign Lord the King that now is, in the xxviii Year of his Reign, touching such Takings, be kept and maintained in all Points. The Form of which Article ensueth in these Words. "In the first place, Forasmuch as there is a great Grievance in this Realm, and Damage without Measure, for that the King and the Ministers of his House, as well Aliens as Denizens, do make their Prises where they pass through the Realm, and take the Goods, as well of Clerks as of Lay People, without paying therefore any thing, or else much less than the Value: It is ordained, that from henceforth none do take any Prises within the Realm, but only the King's Takers and the Purveyors for his House, and that the King's Takers and Purveyors of his House shall take nothing but only for his House; and touching such things as they shall take in the Country of Meat and Drink, and such other mean things necessary for the House, they shall pay or make agreement with them of

[1] *in the said Assignments*

[2] *twenty-five*

(') *of Corn*

(') stricken, *See Stat. 5 Ed. III. c. 2.*

(') his Consort,

bones gentz & loialx, en chescun Countee, a garder la pees; & soit fait mencion es ditz assignementz, q̃ ceux qi ſront enditez ou pris p les ditz gardeins, ne soient pas lessez au meynprise par les Viscountes ne par nul autre, sils ne soyent meynpnables p la lei, ne q̃ tieux enditez ne soient delivez forq̃ a la cõe lei. Et ient les Justices, assignez a la delivance des gaoles, poair a deliver les gaoles de ceux qi ſront enditez devant les gardeins de la pees; et q̃ les ditz gardeins mandent devant les ditz Justices lour enditementz, et ient les ditz Justices poair denquere sur viscountes, gaolers & autres en qi garde tieux enditez ſront, sils facent delivance ou lessent a meynprise nulles issint enditez, qi ne sont mie meynpnables, & de punir les ditz viscountes, gaolers & autres sils facent riens contre cest acord.

Item p̃ceo q̃ le poeple ad este moult greve de ceo, q̃ les bledz, feyns, bestaill, & autre mañe de vitailles, & biens des gentz de mesme le poeple, ont este pris, einz ces houres, auxibien p les pnours & p̃veours del Hostiel le Roi, come p autres, dont nul paiement ad este fait; de ceo auxint q̃ les p̃veours & pnours des bledz p lostiel le Roi, la Reigne, & de lour enfantz, ont pris les bledz a meyndre value qils ont valu, et auxint ont pris xxv. quarters des bledz p̃ xx. quarters, p̃ceo qils ont mesure chescun bussel a coumble, et auxint les p̃veours & pnours de feyn & de lit̃e p̃ mesmes les Hostiels ont fait einz ces houres lour gettez de feyn & de lit̃e a lour voluntez, asseant chescun gette a un maile, p la ou le gette ad valu deux deners ou trois, & auxint ont assis les charettes de feyn & de lit̃e a meyndre pris qeles ont valu: Si est acorde, q̃ nul g̃nt ne petit de quel estat ou condicion qil soit, forpris les pnours & p̃veours p̃ les Hostiels du Roi, la Roigne sa compaigne, & de lour enfantz, ne preigne bledz, feyn, lit̃e, bestaill, ne vitailles, ne autres biens ne chateux de nully, ne cariage face, contre la volunte de ceux as queux tieux biens ou cariages ſront; et q̃ les pnours & p̃veours des bledz, p̃ les ditz Hostiels, les priegnent par mesure rese, selonc ceo q̃ hõme use pmy le roialme; et q̃ touz les bledz, feyn, lit̃e, bestaill, & totes autres vitailles & choses quecunqes, q̃ sont apndre p̃ mesmes les Hostiels, soient desore prises a la ſroie value par Conestables & autres bones gentz des villes, ou tieles prises se ferrount; sanz ceo q̃ par manace ou duresce soient le prisours chacez a mettre autre pris q̃ lour ſement [ne'] voet; et q̃ des totes choses q̃ ſront prises, p̃ mesmes les Hostiels du Roi, la Roigne sa compaigne, & de lour enfantz, paiement soit fait avant ceo q̃ le Roi passe hors de la verge.

Et auxint est acorde q̃ le article contenu en un estatut, fait en temps le Roi Edward, Ael nr̃e Seigñr le Roi qore est, cest assavoir lan de son regne vynt & oitisme, tochant tieles prises, soit garde & meyntenu en touz pointz; la fourme de quel article sensuyt en les paroles soutz-escriptes. En p̃mier chief, p̃ ceo q̃ une g̃nde grevance est en cest roialme, & damage sanz noumbre, de ceo q̃ le Roi & ses Ministres de sa meigne, auxibien les alienes come les denzeines, font lour prises, la ou ils passent pmy le roialme, & pnent les biens des gentz, des Clers & des lais, sans rien paier, ou bien meins q̃ la value; ordene est q̃ decy enavant nul ne preigne prises parmy le Roialme forsq̃ les pnours le Roi, & ses p̃veours p̃ lostiel le Roi; et q̃ ceux pnours le Roi & p̃veours p̃ son hostiel ne priegnent riens forsq̃ p̃ mesme lostiel; et des p̃ses qil ferront pmy le pays de mangier, ou de beyvre, ou autres menues necessaries p̃ lostiel, qil facent la paie, ou gre a ceux des queux les

[1] Interlined on the Roll.

choses ſront pris; et q̃ touz tieux pnours le Roi, p̃veours ou achatours, eient decy enavant lour garant ovesques eux, du g̃nt Seal ou de petit Seal le Roi, contenant lour poair, & les choses dont ils ferront prises ou p̃veance, le quel garaunt ils mostrent a ceux des queux ils ferrount la prise, avant ceo qils preignent riens; et q̃ ceux pnours, p̃veours, ou achatours le Roi ne preignent plus q̃ busoigne & mestier ne soit p̃ le Roi, & son hostiel, & de ses enfantz, et q̃ riens ne preignent p̃ ceux q̃ sont a gages, ne p̃ nul autre; & qils respoignent en lostiel & en la garderobe pleynement de ꝺtes lour prises, sanz faire aillours lour largesce, ou liv̄es de chose q̃ p̃ le Roi soit p̃s. Et si nul pnour de lostiel le Roi, p garant qil eit, face prises ou liv̄es en autre mañe q̃ desus nest dit, p pleynte faite au Seneschal & au Tresorer del Hostiel le Roi, soit la v̄ite enquise; et si de ceo soit atteint, soit gre meyntenant fait au pleintif, & soit oste de ſvice le Roi p̃ touz jours, & demoerge en prison a la volunte le Roi; et si nul face prises sanz garant, & lemporte en countre la volunte de celui a qi les biens sont, soit meyntenant arestu p la villee, ou la prise ſra faite, & mene a la p̃scheine gaole; et si de ceo soit atteint, soit la fait de lui, come de laroun, si la quantite des biens le demand.

Item nr̃e Seigñr le Roi de sa bone g̃ce ad pdone as Chivalers, & as touz autr̃s de son roialme, touz les fynes nadgairs faites a lui p cause destre desporte de lour aler en Gascoigne; & auxint le graunt q̃ estoit fait p les Chivalers des Counteez, de chescune ville un hõme arme; & le graunt p les Citeseyns & Burgeis p̃ les Citeez & Burghs, au parlement de Wyncestr̃; et voet nr̃e Seigñr le Roi q̃ les reconisances faites p cele enchesun soient anientiz & dampnez, et q̃ les ditz Chivalers ne les gentz des villes, Citeez, ne Burghs, ne soient desore p cause des ditz grauntz chargez, einz de tout quites; issint totefoitz q̃ p encheson du dite pdon, ils soient les plus p̃stes & de meillour volunte a faire covenable eide au Roi, qant il le demandera, ou en av̄a afaire.

Item est acorde, q̃ lestatut nadgairs fait & afferme a Kardoil, cest assaver, q̃ les Religiouses ne facent apport outre meer, soit meyntenu garde, & tenu, en touz pointz.

Item, come avant ces houres, executours nont pas eu accion des trespas faites as testatours, come des biens & chateux des ditz testatours emportez en lour vie, & issint tieux trespas ont este depunitz tanq̃ encea, si est acorde, q̃ les executours en tieu cas eient accion dev̄s les trespassours, p̃ damage en tieu cas recov̄er, en mañe come ceux qi executours ils sount, avereient, sils fuissent *en vie*.

Item come avant ces houres hõme a chival soleit aver son passage de la meer a port de Dovre, p̃ iis. & hõme apee p̃ vi d. & ore denovel ont les gardeins de passage & passagers pris plus, a g̃nde damage de poeple; Si est acorde, q̃ en dit port & touz autr̃s, & auxint en touz les autr̃s passages de la t̃re, auxibien en Ewes douces, come en braz de meer, les passauntz paient desore come ancienement soleient, et de plus ne soient charges, ne les passagers ne gardeins des passages nient plus ne preignent; & soit mande a Conestable de Dovre qil face garder cest article en sa baillie, au peril q̃ appent, & sil troesse nul fesaunt al encontre, qil lui face punir a chescuny suyte qi ent se vodra pleindre, & face droit; & auxint soit mande as baillifs des lieus ou tieux passages sont, q̃ eux facent en mesme la mañe; et eient le Justices assignez as assises prendre es Counteez, poair denquere, si nuls facent al encontre, & a punir & a faire droit ent, auxibien a la seute le Roi, come a la seute de partie.

whom the Things shall be taken; and that all such the King's Takers, Purveyors, or Buyers, from henceforth shall have their Warrant with them, under the King's great or petty Seal, declaring their Authority, and the Things whereof they have power to make Prise or Purveyance, the which Warrant they shall shew unto them whose Goods they take, before they take any thing; and that those Takers, Purveyors, or Buyers for the King shall take no more than is needful or meet to be used for the King, his Household, and that of his Children; and that they shall not take any thing for them that be at Wages, nor for any other; and that they shall make full answer in the King's House and in the Wardrobe, for all things taken by them, without making their Largesses any other where, or Liveries of such Things as have been taken for the King. And if any Taker for the King's House, by reason of his Warrant, make any Prise or Livery, otherwise than before is mentioned, upon Complaint made to the Steward and to the Treasurer of the King's House, the Truth shall be enquired; and if he be attainted thereof, he shall forthwith satisfy the Party, and shall be put out of the King's Service for ever, and shall remain in Prison at the King's Pleasure; and if any make Prise without Warrant, and carry it away against the Will of the Owner, he shall immediately be arrested by the Town where the Prise was made, and shall be committed to the next Gaol; and if he be attainted thereupon, it shall be done unto him as unto a Felon, if the Quantity of the Goods do so require."

V. Pardon for certain Fines and Grants.

ITEM, Our Sovereign Lord the King of his good Grace hath pardoned to the Knights, and to all other of his Realm, all the Fines late made to him, because to be dispensed of their going into Gascoigne; and also the Grant that was made by the Knights of the Counties, for every Town an armed Man; and the Grant made by the Citizens and Burgesses for the Cities and Burghs at the Parliament of Winchester; and our said Sovereign Lord the King will, that Recognisances made for the same Cause, shall be annulled and damned, and that the said Knights, nor the People of the Cities, Burghs, and Towns, shall not be from henceforth charged by the said Grants, but acquitted of all: so that always by reason of the said Pardon, they shall be the more ready and of better will to grant a [covenant [1]] Aid to the King, when he shall require them, or have to do thereof.

VI. The Statute 35 Ed. I. St. 1. confirmed.

ITEM, It is accorded, That the Statute late made and affirmed at Carlisle, that Religious Persons should [make no Carriage [1]] beyond the Sea, shall be maintained, kept, and observed in all Points.

VII. Executors shall have an Action of Trespass for a Wrong done to their Testator.

ITEM, Whereas in Times past Executors have not had Actions for a Trespass done to their Testators, as of the Goods and Chattels of the same Testators carried away in their Life, and so such Trespasses have hitherto remained unpunished; It is enacted, That the Executors in such Cases shall have an Action against the Trespassers, [and recover their [3]] Damages in like manner as they, whose Executors they be, should have had if they were in Life.

VIII. Fare of Passages at the Ports.

ITEM, Whereas before this Time a Horseman was wont to have his Passage over the Sea from the Port of Dover for iis. and a Footman for vid. and now late the Keepers of the Passage, and the [Passengers [4]] have taken more, to the great damage of the People: It is agreed, that at the same Port and all other ([5]) Passages of this Land, as well in fresh Waters as in Arms of the Sea, they that do pass, shall from henceforth pay as they were wont to pay in old Time, and of more shall they not be charged, nor the [Passengers [4]] nor Keepers of the Passage shall take no more. And be it commanded to the Constable of Dover, that he cause this Article to be kept in his Bailliwick, upon the Peril that thereto pertaineth. And if he find any offending this Act, he shall punish him, at every Man's Suit that will thereof complain, and do right. Be it also commanded to the Bailiffs of the Places where such Passages shall be, that they do in like Manner. And the Justices of Assises in the Counties, shall have Power to enquire if any offend this Statute and to punish them, and do Right therein as well at the King's Suit, as at the Suit of the Party.

[1] covenable *MS. Tr.* 2.
[2] *send no Tax or Tallage*
[3] to recover *MS. Tr.* 2.
[4] Passagers
[5] *and also in all other*

IX. Sheriffs, &c. shall have sufficient in the County. 9 Edw. II. Stat. 2.

ITEM, It is accorded, That no Sheriff, Bailiff of Hundred, Wapentake, nor of Franchise, nor Under-Escheators, shall be from henceforth, except he have Lands sufficient in the Place where they be Ministers, whereof to answer the King and his People, in case that any Man complain against them; as it was ordained at another Time at the Parliament holden at Lincoln, in the Time of the King's Father that now is, that is to say, in the Ninth Year of his Reign.

X. Sheriffs and Gaolers shall receive Offenders without taking any thing.

ITEM, Whereas in Times past, Sheriffs and Gaolers of Gaols would not receive Thieves, Persons appealed, indicted, or found with the maner, taken and attached by the Constables and Townships, without taking great Fines and Ransoms of them for their Receipt, whereby the said Constables and Townships have been unwilling to take Thieves and Felons, because of such extreme Charges, and the Thieves and the Felons the more encouraged to offend; It is enacted, That the Sheriffs and Gaolers shall receive and safely keep in Prison from henceforth such Thieves and Felons, by the delivery of the Constables and Townships, without taking any thing for the Receipt; and the Justices assigned to deliver the Gaol, shall have Power to hear their Complaints that will complain upon the Sheriffs and Gaolers in such case, and moreover to punish the Sheriffs and Gaolers if they be found guilty.

XI. Justices of Assises and Nisi Prius may enquire concerning Maintainers, &c.

ITEM, Where in Times past divers People of the Realm, as well great Men as other, have made Alliances, Confederacies, and Conspiracies, to maintain Parties, Pleas, and Quarrels, whereby divers have been wrongfully disinherited; and some ransomed and destroyed; and some, for fear to be maimed and beaten, durst not sue for their Right, nor complain, nor the Jurors of Inquests give their Verdicts, to the great hurt of the People, and [Slander [1]] of the Law, and common right; It is accorded, that the Justices of the one Bench and of the other, and the Justices of Assises, whensoever they come to hold their Sessions, or to take Inquests upon Nisi prius, shall enquire, hear, and determine, as well at the King's Suit, as at the Suit of the Party, of such Maintainers, Bearers and Conspirators, and also of them that commit Champerty, and of all other things contained in the foresaid Article, as well as Justices in Eyre should do if they were in the same County; and that which cannot be determined before the Justices of the one Bench or the other upon the Nisi prius, [for shortness of Time,] shall be adjourned into the [Place [2]] whereof they be Justices, and there be determined as Right and Reason shall require.

XII. Wines shall be assayed, and sold at reasonable Prices.

ITEM, Because there be more Taverners in the Realm than were wont to be, selling as well corrupt Wines as wholsome, and have sold the Gallon at such Price as they themselves would, because there was no Punishment ordained for them, as hath been for them that have sold Bread and Ale, to the great hurt of the People; It is accorded, That a Cry shall be made, that none be so hardy to sell Wines but at a reasonable Price, regarding the Price that is at the Ports from whence the Wines came, and the Expences, as in Carriage of the same from the said Ports to the Places where they be sold; and that (3) Assay shall be made of such Wines two Times every Year, once at Easter, and another Time at Michaelmas, and more often if need be, by the Lords of the Towns and their Bailiffs, and also by the Mayor and Bailiffs of the same Towns; and all the Wines that shall be found (4) corrupt, shall be [poured out,[5]] and the Vessels broken. And the Chancellor and Treasurer, Justices of the one Bench and the other, and Justices of Assise shall have Power to enquire upon the Mayors, Bailiffs, and Ministers of Towns, if they do not according to this Statute; and besides that, to punish as Reason shall require.

XIII. Confirmation of the Statute 2 E. III. c. 2. touching Pardons.

ITEM, Because divers Charters of Pardon have been granted of Felonies, Robberies, and Manslaughters, against the form of the Statute lately made at Northampton, containing that no Man should have such Charters out of the Parliament, whereby such misdoers have been the more bold to offend; It is enacted, That from henceforth the same Statute shall be kept and maintained in all Points.

[1] arrerage and hyndrance *MS. Tr.* 2.
[2] for their brief and short abydyng in the Countrie *MS. Tr.* 2.
[3] Places [4] in every Town *MS. Tr.* 2.
[4] putrefied or *MS. Tr.* 2. [5] shadde and cast out *MS. Tr.* 2.

Item est acorde q̃ nul Viscounte, baillif de Hundred, Wapentak, ne de Fraunchise, ne soutz Eschetour, ne soit desore, sil neit t̃re suffisaument es lieus ou ils sont ministrs, dont respoundre au Roi & au poeple, en cas si hõme vodra pleindre dev̄s eux; come autrefoits fut ordene au parlement de Nicole, en temps le piere nre Seign̄ le Roi qore est, cest assavoir, lan de son regne nocisme.

Item par la ou avant ces houres viscountes & gaolers de gaoles, nount pas volu receyvre les larouns appellez, enditez, ou trovez ove meyn oeure, pris & attachez, p les Conestables & villeez, sanz greveuse fyns & raunceons, aprendre de eaux, p' la receite, par quei les ditz Conestables & villeez ont este plus eschuz a p̄ndre les larouns & felouns, p' tieles outrageouses charges, & les larouns & felouns plus esbaudiz a meffaire; Si est acorde, q̃ les viscountes & gaolers receyvent & salvement gardent en p'sone desore, tieux larouns & felouns, p la livere des ditz Conestables & villeez, sanz riens p̄ndre p' la receite; & q̃ les Justices, assignez a deliv̄er les gaoles, eient poair doier les pleintes, de ceux qi se vodront pleindre, s' les viscountes & gaolers, en tieu cas, & outre a punir les viscountes & gaolers, sils soient trovez copables.

Item p' ceo q̃ avant ces houres, plusours gentz du roialme, auxibien g̃ntz, come autres, ount fait alliaunces, confederacies, & conspiracies, a meyntenir parties, pleez, & quereles, parount plusours gentz ount este atort desheritez; & ascuns reintz & destruz; & ascuns, p' doute destre mahemez, & batuz, noserent pas seuyr lour droit, ne pleindre, ne les jurours des enquestes lo' verditz dire, a g̃nt damage du poeple & arerissement de la lei, & de cõe droit; Si est acorde, q̃ les Justices del un Baunk & del autre, & les Justices as assises prendre assignez, a totes les foitz qil vendront a faire lour sessions, ou a p̄ndre enquestes, s' Nisi prius, enqueregent, oient, & t̃minent, auxibien a la seute le Roi, come a la seute de ptie, sur tieux meyntenours, empnours, & conspiratours, & auxint de Champartours, & des totes autres choses contenuz en dit article, auxiavant come Justices de eyre ferroient, sils fuissent en mesme le Countee; & ceo q̃ ne poet estr̄ t̃mine devant les Justices del un Baunk, ou de lautre, s' le Nisi prius, p' brefte de lour demoer en pais, seit ajournee en les places dont ils sont Justices, & illoeques t̃minee, selonc droit & reson.

Item p' ceo qil ysont plusours tav̄ners en roialme qestre ne soleient, vendantz vyns, auxibien p'rez come seyns, & ont vendu le gealon a tiel pris come ils mesmes ont volu, p' ceo q̃ chastiement nad pas este ordene sur eux, come s' ceux q̃ ount venduz payn & v̄oise, a g̃nt damage du poeple; Si est acorde, q̃ crie se face, q̃ nul soit si hardy de vendre vyns forq̃ a resonable feer, eaunt regard au p's qest en les portz, dont les vyns vignent, & auxint as despenses, come en cariage a faire, des ditz portz tanq̃ as lieus ou ils sont venduz; & q̃ en chescune ville assai se face des vyns, deux foitz p an, un foitz a la Pasch & autre foitz a la Seint Michel, & plus sovent si mestier soit, p les Seign̄s des villes, & lour Baillifs, & auxint p les Mairs & Baillifs des mesmes les villes; & touz les vyns q̃ s̄ront trovez purrez ou corrumpuz, soient enfouncez & ostez de tut, & les toneiles debrusez. Et eient les Chanceller, Tresorer, Justices del un Baunk, & del autre, & Justices assignez as assises p̄ndre, poair denquere, sur Mairs, Baillifs & ministres de villes, sils ne facent ceo qest acorde; & outre, a faire punissement selonc ceo q̃ reson demand.

Ensement p'ceo q̃ plusours chartres ont este grauntes de pardons des felonies, roberies, & homicides, contre la fourme de lestatut nadgairs fait a Norhampton̄, contenant q̃ nul hõme naveit tieles chartres, hors du plement, pount les meffesours ont este plus esbaudiz de meffaire; Si est acorde q̃ mesme lestatut soit desore garde & meyntenu en touz pointz.

Ensement est acorde q̃ parlement soit tenu chescun an, unefoitz, ou plus si mestier soit. Item p'ceo q̃ les viscountes ount avant ces houres lessez les Hundredz & Wapentaks, en lour baillies a si haute ferme, q̃ les baillifs ne poient cele ferme lever, forq̃ p extorsion, & duresce, a faire au poeple; Si est acorde q̃ les viscountes lessent desore les Hundredz & Wapentaks a launciene ferme, & ne mye outre; & q̃ les Justices assignez eient poair denquere s' les viscountes, & de punir ceux qils troveront fesauntz le contraire.

P̃ vic̃ Ebor̃ saltm. Quedam p nos & consiliū nr̃m, ad requisic̃oem C̃itatis regni nr̃i, in pliamento nr̃o apud Westm̃ die Lune p̃x post festū sc̃e Kat̃ine p̃x p̃t̃itum convocato, concordata & ordinata, tibi mittim⁹ in forma patente; Mandantes qđ in singulis locis in ball̃ia tua, tam infra lib̃tates q'm ext', ubi expedire videris, ea publice p̃clamari & firmit̃ teneri fac̃. Et hoc nullatenus omittas. T. R. apud Langele t̃cio die Feb̃r̃ anno r̃. sui quinto. p ip̃m Regem.

Eodem modo mand̃ est singulis vicecomitib̃ p Angl̃.

Memorand̃ qđ istud statutū missum fuit in Hib̃n in forma patenti, cum quodam b̃ri inferi⁹ seq̃n.

ITEM, It is accorded, That a Parliament shall be holden every Year once, [and [1]] more often if need be. XIV. Annual Parliaments.

ITEM, Because Sheriffs have before this Time let Hundreds and Wapentakes in their Bailiwicks to so high Ferm, that the Bailiffs cannot levy the said Ferm, without doing Extortion and Duress to the People; It is ordained, That the Sheriffs shall from henceforth let their Hundreds and Wapentakes for the old Ferm, and not above; and that the Justices assigned shall have Power to enquire of the said Sheriffs, and punish them that shall be found offending against this Statute. XV. Sheriffs shall let their Hundreds for the old Ferm.

[1] or

The King to the Sheriff of York, Greeting. Certain things, by Us and our Council, at the request of the Commonalty of our Realm, in our Parliament summoned at Westminster on Monday next after the Feast of Saint Katharine last past, agreed and ordained, We do send unto you in form of Letters Patent; Commanding that the same, in the several places in your Bailiwick, as well within Liberties as without, where you shall see meet, you do cause to be publicly proclaimed and firmly to be kept: And this in no wise omit. Witness the King at Langley, the third day of February in the fifth year of his reign. By the King himself.

In the same manner it was commanded to the several Sheriffs throughout England.

Be it Remembered that this Statute was sent into Ireland in form of Letters Patent, with a certain Writ hereunder following.[2]

[2] See Memorandum at the End of Stat. 5 Edw. III.

Anno 5° EDWARDI, III. A.D.1331.

Statutū editum apud Westm̃, anno regni R. Edwardi t'cii post Conquestum quinto. vto. quinto.

STATUTE made at WESTMINSTER; In the FIFTH Year of the Reign of K. EDWARD the THIRD after the Conquest.

Ex magno Rot. Stat. in Turr. Lond. m. 26.

AU parlement somons a Westm̃, lendemein de Seint Michel, lan du Regne le Roi Edward, tierz ap̃s le Conquest, quint, si ad nr̃e Seign' le Roi p assent des p̃latz, Countes, Barons, & autr̃s grantz du roialme illoeq̃s assemblez, a lon' de Dieu & de seinte eglise, & a la requeste de son poeple, g'nte & establi les choses suthescrites, les queles il voet q̃ tenuz soient, gardez, & meyntenuz, a touz jours. En primes si est acorde & establi, q̃ la grande Chartre, & la Chartre de la Foreste soient tenuz, gardez, et fermement meintenuz.

Item come en lestatut fait a Westm̃, au plement somons illoeq̃s ap̃s la feste de seinte Kat̃ine, lan du regne le Roi qore est quart, entre autres choses illoeq̃s acordez & estabiz, soit contenuz, sur les grevances q̃ les p'veours p' les Hostelx le Roi, la Roigne sa compaigne, & de lour enfantz, fesoient au poeple en out'iouse mesure des bledz, & auxint en voluntrive taille de fein, lit̃e, & autr̃s choses p'veus p les ditz p'veours: Establi soit q̃ les p̃nours & p'veours des bledz p' les ditz Hostelx les p̃ignent p mesure rees, selonc ce q̃ hom̃e euse p̃my le Roialme, & q̃ touz les bledz, fein, lit̃e, bestaill, & totes autres vitailles & choses quecunq̃s q̃ sont ap̃ndre p' meismes les Hostelx, soient p'sez a la v̄roie value, p Conestables et autr̃s bones gentz des villes ou tieles prises se ferront, santz ce q̃ p manace ou duresce soient les prisours chacez a mettre autre pris q̃ lo'

AT the Parliament holden at Westminster the morrow after Saint Michael, in the fifth year of the reign of King Edward, the Third after the Conquest, our Lord the King, by the Assent of the Prelates, Earls, Barons, and other great men of the Realm there assembled, to the honour of God and of Holy Church, and at the request of his People, hath granted and established these things underwritten, which he will to be kept and maintained for ever.

FIRST, It is accorded and established, That the Great Charter and the Charter of the Forest shall be kept and firmly maintained. I. The Charters

ITEM, Where in the Statute made at Westminster, at the Parliament there summoned after the Feast of Saint Katharine, in the Fourth Year of the Reign of the King that now is, amongst other Things there enacted, it is contained, upon the Grievances which the Purveyors for the King's House, the Queens ('), and of their Children, did to the People in outrageous Measures of Corn, and voluntary taking of Hay, Litter, and other Things provided by the said Purveyors, (') that the Takers and Purveyors of Corn for the said Houses should take them by Measure stricken, according as hath been used through the Realm; and that all the Corn, Hay, Litter, Bestail and all other Victuals and Things to be taken for the same Houses, should be praised at the true Value by the Constables and other good People of the Towns where such Prises be; and that the Praisors be not enforced by Threats and Duress to assess any II. Purveyance. Recital of Stat. 4 Ed. III c. 3, 4.

[1] his Wyf *MS. Tr.* 2. [2] established be it *MS. Tr.* 2.

other Price than their Oath will; and in the same Statute is one Article rehearsed, which was made in the
28 Ed.I.c.2. Time (1) of King Edward, Grandfather to the King that now is, where certain Pains be limited against those that late made Purveyance for the said Houses; which Pains not regarded, the said Purveyors have not let to make outrageous and unlawful Prises against the Tenor of the said Statutes: To the Honour and Profit of our said Lord the King, and for the Peace and Quietness of his People, and to refrain and punish the Enormities of those that have committed such Outrages, to the King's, the Queen's (2) and their Childrens great Slander; It is accorded and enacted, That the Taking and Purveyance for the said Houses shall be by Price made by the Constables and four discreet Men of the Towns where shall be such Prises and Purveyances, thereto sworn, and without Menace, as in the said Statutes is contained: And
Tallies of Purveyance. that also betwixt the Purveyors and them whose Goods shall be taken, in the Presence of the Constables and Prisors, Tallies shall be made and sealed with the Purveyors Seals of the Things so taken, by which Tallies Satisfaction shall be made to them from whom such Goods be taken. And if any Taker or Purveyor for the said Houses do take in any other Manner, he shall be incontinently arrested by the Town where such Taking was made, and brought to the next Gaol; and if he be thereof attainted, it shall be done of him as of a Thief, if the Quantity of the Goods the same require;
Form of Commissions. and from thenceforth it shall be contained in the Commissions of such Takers and Purveyors, be they under the small Seal or the great, the Form and the Pain contained in this Statute. And that in every Case where
Inquests taken in the Marshal's Court. Inquests be to be taken before the Steward and the Marshal of the King's House, that Inquests be taken by Men of the Country thereabout, and not by Men of the
See Stat. 28 *Ed. I. c.3.* King's House, except it be of Contracts, Covenants, or Trespasses made by Men of the King's House, of the one Part and of the other, and that in the same House, according to another Statute thereof made in the Time
Error in the Marshal's Court. of the said [Edward (3)] the Grandfather: And in case where any will complain of Error made before the said Steward and Marshal, the Plaintiff shall have a Writ to remove the Record and the Process before the King in his Place, and there the Error shall be redressed; and likewise shall it be done in every other Case where any Man will complain him of Error done before the same Steward and Marshal of the King's House.

III. Item, It is agreed, That the Statute made at Carlisle
The Statute 35 Ed. I. st.1. confirmed in the Time of [King Edward, the King's Grandfather that now is,(4)] wherein is contained, that Religious Men shall [make no Carriage (5)] out of the Realm, shall be holden, kept, and maintained in all Points.

IV. ITEM, It is accorded and enacted, That no Sheriff,
Sheriffs, &c. shall have sufficient in the County. Under Escheator, Bailiff of Franchises, Wapentakes, Hundreds, nor Tithings, shall from henceforth be, except he have Lands sufficient in the same County, whereof to answer the King and his People, if any will complain.

V. ITEM, Where it is contained in the Statute made at
2 E.III.c.15. Northampton, in the Second Year of the Reign of the King that now is, that the Lords which have Fairs by Charters or otherwise, shall hold them during the Time that they ought to do, and no longer, upon Pain to seize such Fairs into the King's Hands; and that every Lord at the beginning of his Fair do cry and proclaim therein how long the Fair shall endure; and in the same Statute is no certain Punishment ordained against the Merchants
The Penalty for selling Ware at a Fair after it is ended. if they sell after the Time: It is accorded, That the said Merchants after the said Time shall close their [Booths (6)] and Stalls without putting any Manner of Ware or Merchandize to sell there; and if it be found, that any Merchant from henceforth sell any Ware or Merchandize at the said Fairs after the said Time, such Merchant shall forfeit to our Lord the King the double Value of that which [is sold;(7)] and (8) every Man that will sue for our Lord the King, shall be received, and [also have(9)] the Fourth Part of that which shall be lost at his Suit.

(1) of good memory *MS. Tr.* 2. (2) his Wyf *MS. Tr.* 2.
(3) *King* (4) the same King, ayel to the King *MS. Tr.* 2.
(5) *send no Tax or Tallage* (6) fieldis shoppes *MS. Tr.* 2.
(7) he shall have so sold; *MS. Tr.* 2.
(8) *for this purpose*
(9) he who so sueth, shall have *MS. Tr.* 2.

ſment ne voet; et en meisme cel estatut soit rehercez un article q̃ fut fait en temps du bone memoire le Roi, ael le Roi qore est, ou ċteines peines sont cõtenues contre ceux qi nonduement fesoient p'veances p' tielx Hostelx; p' les queles peines les p'veours des ditz Hostelx ne ont pas lessez a faire out'iouse & nondues prises, contre la tenour des ditz estatutz: Al hon' & p̃fit de nr̃e Seign' le Roi, & pur pees & quiete de son poeple, & p' refrener & punir la malveiste de ceux qi tielx out'ges ont faitz, en esclaundre du Roi, la Roigne sa compaigne, & de lour enfantz, acorde est & establi q̃ les prises & p'veances se facent pur les ditz Hostelx, par pris fait p̃ Conestable & quatre p̃deshõmes des villes, ou tieles prises & p'veances se ferront, jurrez, & santz manace, sicome en les ditz estatutz est contenuz: et q̃ entre les p'veours, & ceux des queux les biens ſront prises, en la p̃sence des Conestables & prisours, soient tailles faites, ensealez de sealx des p̃nours des choses issint prisez, p̃ les queles tailles gree soit fait a ceux des queux les choses ſront issint prises. Et si nul p̃nour ou p'veour pur les ditz Hostelx les face p̃ autre mañe, soit meintenant arestuz p̃ la villee ou la prise ſra faite, & mesne a la p̃cheine gaole; & si de ce soit atteint, soit la fait de lui come de laroun, si la q'ntite des biens le demande; et desore soit contenu en les Cõmissions des tielx p̃nours & p'veours, soient eles soutz le petit Seal ou soutz le g'nt Seal, la fourme & la peine contenuz en cest estatut. Et qen chescun cas, ou enquestes sont ap̃ndre, devant Seneschalx & areschalx del Hostel le Roi, q̃ les enquestes soient prises p̃ gentz du pais en viroun, & ne mie p̃ gentz de lostel, sil ne soit des cont'ctz, covenantz, ou tr̃spas, faitz p̃ gentz de meisme lostel dune p̃t & dautre, & ce en meisme' lostel, selonc un autre estatut ent autrefoitz fait en temps meisme le Roi lael: et q̃ en cas ou hõme se voudra pleindre de errour fait devant les ditz Seneschalx & Mareschalx, eit le pleintif bref de faire venir le record & p̃ces devant le Roi en sa place, & illoeq̃s soit le errour redresce; et auxint soit fait en chescun autre cas, ou hõme se voudra pleindre de errour fait devant meismes les Seneschalx & Mareschalx de lostel le Roi.

Ensement est acorde & establi q̃ un estatut fait a Kardoil, en temps meisme le Roi lael, en quel est contenuz q̃ gentz de Religion ne facent apport hors du roialme, soit tenuz, gardez, & meintenuz en touz pointz.

Auxint est acorde & establi q̃ nul Viscounte, Southeschetour, Baillif de fraunchise, Wapentak, Hundred, ne Trithing, soit desore, sil neit ťre suffisaument, en meisme le Counte, dount respondre au Roi, & au poeple, si hõme se voudra pleindre.

Item come contenuz soit en lestatut fait a Norhamptoñ, lan du regne le Roi qore est secund, q̃ les Seign's qi feires ont, par chartres ou en autre mañe, les tiegnent p' le temps qils devont, & ne mie outre, sur la peine ap̃rendre les feires en la meine le Roi; & q̃ chescun Seign' au comencement de sa feire, face crier & publier en ycele, come longement sa feire se tendra; & en meisme lestatut nest mie ordeine ċtein punissement contre les marchantz sil vendent ap̃s le temps; si est acorde & establi q̃ les ditz marchantz ap̃s le dit temps facent clore lour seudes & estaux, santz mettre nulle mañe de m̃ce ou marchandise a vente illoeq̃s; et si trove soit desore, q̃ nul marchant vende es dites feires m̃ce ou marchandise ap̃s le dit temps, pde le dit marchant v̄s nr̃e Seign' le Roi, le double de ce qil issint a v̄a vendu; et a ce atteindre soit chescun hõme resceu qi voudra sure p' nr̃e Seign' le Roi, & eit celui qi issint suera la quarte ptie de ce q̃ ſra a sa seute issint pdu.

Item pr ce q̃ les jurours ont dote le meins destre pjours, pr les longes delaies qe ont este en atteintes devant les Justices de lun Baunk & de lautre, & devant autrs Justices; si est acorde & establi q̃ essoigne du vice le Roi, ne pteccion, ne soient desore enavant allowez en tieles jurez, nient plus qen assise de novele disseisine; et q̃ cink jours p an soient donez, devant les Justices du cõe Baunk, en les dites Jurez au meins; et q̃ le Nisi prius soit auxibien done en tielx brefs come en auts.

Et come il soit contenuz en un estatut nadgairs fait a Westm̃, lan du regne nre Seignr le Roi qi ore est pmr aps son coronement, q̃ atteintes soient grauntez en brefs de spas; si est acorde & establi q̃ brefs datteintes desore soient grantez, auxibien en pledz de trspas mieutz santz brefs, com p brefs devant Justices qi sont de record, si les damages ajuggez passent quarant soldz; et cest estatut eit lieu auxibien des enquestes prises en temps passe, come apndre en temps avenir.

Item pr ce q̃ les gentz enditez des felonies, robies, & larcins einz ces heures ont fait venir lour enditementz devant le Roi, & illoeqs se sont renduz, & p les Mareschalx du Baunk le Roi ont este meintenant lessez en bail, et puis ont fait plusours malx & agaitz de tuer ou malfaire lour enditours, et auxint les appellez des felonies, aps lexigende issue sur eux, se sont renduz devant le Roi, & ont este p les ditz Mareschalx lessez en bail; Si est acorde & establi, q̃ les ditz enditez & appelletz soient seurement & sauvement gardez en prisone, come y appent, selonc la charge q̃ les ditz Mareschalx avont des Justices. Et si nul Mareschal face autrement, a la pleinte de chescun qi pleindre se voudra, la Justice lui ferra droit, durant le tme; Et qen la fin des tmes, sur lour lever, elisent les ditz Mareschalx devant meismes les Justices avant lour departir des places, en quele ville ils voudront garder tielx prisons a lour pil; & en meisme la ville allowent mesons pur la garde des prisons a lour custages demeigne, & illoeqs les gardent en psone, & ne les soeffrent nulle pt aler waskerantz, ne p bail ne santz bail: et si nul tiel prison soit trove, p bail ou santz bail, waskerant hors de psone, & ce soit trove a la seute le Roi, ou a la seute de ptie, eient les Mareschalx, qi de ce tront trovez coupables, la psone dun demy an, & outre soient reintz a la volente le Roi; et facent les Justices de ce enquere qnt ils tront temps; et qnt au Mareschal, soit fait de la tge, ceo q̃ resone voudra. Et en cas q̃ les Mareschalx soeffrent p lour assent tielx psons eschaper, soient a la lei come avant heures ont estez; et nentend pas le Roi p cest estatut de pdre leschap ou il le deva avoir.

Item est acorde & establi q̃ nul hõme soit desore attache p nul accusement, ne forjugge de vie ne de membre, ne ses tres, teñz, biens ne chateux seisiz en la mein le Roi, contre la fourme de la gnte Chartre & la lei de la tre. Auxint est acorde & establi, q̃ si nul Jurour en assises, jurez, ou enquestes, pigne dune pt & dautre, & de ce soit duement atteint, q̃ mes ne soit mis en assises, jurez, nen enquestes, & nient meins soit comande a la prisone, & outre reint a la volente le Roi; & a ce atteindre, eient les Justices devant queux tieles assises, jurez, & enquestes passeront, poair denquere & tminer selonc cest estatut.

Item come avant ces heures ascuns appellez ou enditez de dvses felonies en un Counte, ou utlagez en meisme le Counte, ont este demorantz ou recettez en autrs Countez, pont les felons enditez & utlagez ont este covtz en lour malveistez, de ce qils ne poeint estre attachez en autre Counte; si est

ITEM, Because [the Jurors [1]] have the less doubted to be perjured by reason of the long Delays that have been in Attaints, before the Justices of the one Bench and of the other, and before other Justices; It is enacted, That no Essoin of the King's Service nor Protection shall be from henceforth allowed in such Juries, no more than in Assises of Novel disseisin; and that Five Days by the Year be given before the Justices of the Common Bench in the said Juries at the least; and that a Nisi prius be as well given in such Writs as in other. VI. Process in Attaint.

ITEM, Whereas it is contained in a Statute late made at Westminster, in the first Year of the Reign of our Lord the King that now is, after his Coronation, that Attaints should be granted in Writs of Trespass; It is accorded and established, That Writs of Attaint shall be from henceforth granted as well in Pleas of Trespass moved without Writ, as by Writ, before Justices of Record, if the Damages judged do pass xl. s.; and this Statute shall hold Place as well of Inquests taken in Times past, as to be taken in Time to come. VII. Attaint in Trespass, if the Damage pass Forty Shillings. *See Statute* 1 *Ed. III. Stat.* 1. *c.* 6.

Item, Because that Persons indicted of Felonies, Robberies, and Theft, in Times past have removed the same Indictment before the King, and there yielded themselves, and by the Marshals of the King's Bench have been incontinently let to Bail, and after have done many evil Deeds, and lien in wait to slay and evil intreat their Enditors; and also Persons appealed of Felony, after the Exigent awarded, have yielded themselves before the King, and have been let to Bail by the said Marshals: It is accorded and established, That such Enditees and Appellees shall be safely and surely kept in Prison, as belongeth to them according to the Charge which the said Marshals shall have of the Justices. And if any Marshal do otherwise, at the Complaint of every Man that will complain, the Justices shall do him right during the Terms; and in the End of the Terms, upon their rising, the said Marshals shall choose before the said Justices, before they depart the Places, in what Town they will keep such Prisoners, at their Peril; and in the same Town they shall [allow to them [2]] Houses to keep such Prisoners at their own Costs and Charges; and there they shall keep them in Prison, and shall not suffer them to go wandering abroad, neither by Bail nor without Bail: and if any such Prisoner be found wandering out of Prison, by Bail or without Bail, and that be found at the King's Suit, or at the Suit of the Party, the Marshals which shall be found thereof guilty, shall have half a Year's Imprisonment, and be ransomed at the King's Will; and the Justices shall thereof make Enquiry when they see Time; and as to the Marshals, [it shall be done within the Verge, [3]] that which reason will. And in case that the Marshals suffer by their Assent such Prisoners to escape, they shall be at the Law, as before this Time they have been. And the King intendeth not by this Statute to lose the Escape, where he ought to have the same. VIII. Of the Custody of Prisoners by the Marshals of the King's Bench. The Penalty for letting Prisoners go at large; or escape.

ITEM, It is enacted, That no Man from henceforth shall be attached by any Accusation, nor forejudged of Life or Limb, nor his Lands, Tenements, Goods, nor Chattels seised into the King's Hands, against the Form of the Great Charter, and the Law of the Land. IX. No unlawful Attachment, &c.

ITEM, It is accorded, That if any Juror in Assises, Juries, or Enquests, take of the one Party [or [4]] of the other, and be thereof duly attainted, that hereafter he shall not be put in any Assises, Juries, or Enquests, and nevertheless he shall be commanded to Prison, and further ransomed at the King's Will; and ([5]) the Justices before whom such Assises, Juries, and Enquests, shall pass, shall have Power to enquire and determine according to this Statute. X. Punishment of a corrupt Juror.

ITEM, Where in Times past some Persons appealed or indicted of divers Felonies in one County, or outlawed in the same County, have been dwelling or received in another County, whereby such felonious Persons indicted and outlawed have been encouraged in their Mischief, because they may not be attached in another County; It is enacted, That the Justices XI. Process against Felons appealed, &c. in one County, and dwelling in another.

[1] Jurors [2] hire
[3] within the Vierge, shall be done
[4] *and* [5] *for this purpose*

assigned to hear and determine such Felonies, shall direct their Writs to all the Counties of England, where need shall be, to take such Persons indicted.

XII. Of Pardon on Outlawries. Satisfaction of Plaintiff's Damages. On Outlawry before Appearance, Party outlawed shall yield himself.

ITEM, It is established and ordained, That in case where the Plaintiff shall recover Damages, and he against whom the Damages be recovered be outlawed at the King's Suit, that no Charter of Pardon shall be granted of [his [1]] Outlawry, except the Chancellor be certified that the Plaintiff is satisfied of his Damages. And in case that a man be outlawed by Process before his Appearance, no such Charter shall be granted, except the Chancellor be certified that such Person outlawed hath yielded himself to prison before the Justices of the Place, from whence the Writ of Exigent issued; that is to say, if from the King's [Bench,[2]] then he shall yield him in the same Place; and if from the Common [Bench,[2]] then he shall yield himself there; and if from the Justices of Oyer (') Terminer, whiles the same Justices do sit, he shall yield him before them; and if they be risen, then he shall yield him in the King's Bench before the Justices, and the Record with the Process shall be removed before them by Writ: And the said Justices before whom they shall so yield them, shall cause the Party Plaintiff to be warned to appear before them at a certain Day; at which Day, if the Warning be duly witnessed, and the Plaintiff appear upon his Warning, then they shall plead upon the first original Writ, as though no Outlawry had been pronounced; and if the Plaintiff come not, he that is outlawed shall be delivered by virtue of his Charter; and it is to be understood, that all such Charters be of the Grace of the King, as before they have been.

Plaintiff shall be warned to appear and proceed.

XIII. Averment of Plaintiffs (or for the King) shall be received against Imprisonment, alleged to defeat Outlawry.

ITEM, Because divers People being duly outlawed, have avoided the Outlawries pronounced against them, them, by reason of Imprisonments untruly testified by Sheriffs and others which have no Record; It is enacted, That if any from henceforth will defeat any Outlawry pronounced upon him by such Testimony, that he shall yield himself to the Prison, and then the Justices of the King's Bench shall cause the Party at whose Suit the Outlawry was pronounced, to be warned to be before them at a certain Day; at which Day, if the Party will verily that the Testimony is untrue, his Averment shall be received. And in like Manner the King's Serjeant, or his Attorney, or other that will sue for the King, shall be received to have the same Averment against such Testimony, in case where such Outlawry is pronounced at the King's Suit.

XIV. 13 Edw. I. Arrest of Night-walkers and others suspected. Inquests of Sheriffs thereon returnable to Justices of Gaol delivery.

ITEM, Whereas in the Statute made at Winchester in the Time of King Edward, Grandfather to the King that now is, it is contained, That if any Stranger pass by the Country in the Night, of whom any have suspicion, he shall presently be arrested and delivered to the Sheriff, and remain in Ward till he be duly delivered: And because there have been divers Manslaughters, Felonies, and Robberies done in Times past, by People that be called Roberdesmen, Wastors, and Draw-latches; It is accorded, That if any [may [4]] have any evil Suspicion of such, be it by Day or by Night, they shall be incontinently arrested by the Constables of the Towns; and if they be arrested within Franchises, they shall be delivered to the Bailiffs of the Franchise, and if in Guildable, they shall be delivered to the Sheriffs, and kept in Prison till the coming down of the Justices assigned to deliver the Gaol; and in the mean Time the Sheriffs or Bailiffs of the Franchises shall enquire of such Arrests, and at the coming of the Justices return their Enquests (5) before them, with that which they have found, and the Cause of the Takings, with the Bodies, and the Justices shall proceed to the Deliverance of such Persons arrested according to the Law: And in case that the Sheriffs or Bailiffs of the Franchises have not enquired of such Arrests, they shall be amerced, and nevertheless the Justices shall make Enquiry, and further proceed to the Deliverance, as before is said.

[1] this [2] Place *MS. Tr.* 2. [3] and
[4] man [5] of this *MS. Tr.* 2.

The King to the Sheriff of York, Greeting. Certain Statutes, by Us and the great Men and Peers of our Realm, in our last Parliament summoned at Westminster, for the common Weal of the People of our Realm, set forth, We do send unto you, under our Seal, in form of Letters Patent,

acorde & establi q̃ les Justices, assignez doier & ꝑminer tieles felonies, facent lour brefs ꝑ touz les Countez Dengleꝛre, ou mesꝰ ꝺra, a ꝑndre tielx enditez.

Auxint est acorde & establi, qen cas ou le pleintif recovre damages, & a la seute le Roi celui devꝰs qi les damages sont recoviz seit utlage, q̃ nulle chartre de ꝑdoun soit grante de cele utlagꝛie, si le Chaunceller ne soit appris q̃ gree soit fait a meisme le pleintif des damages. Et en cas ou hõme soit utlage ꝑ ꝑces devant ce qil apierge, q̃ nulle tiele chartre soit gᵃnte, si le Chaunceller ne soit appris q̃ tiel utlage se eit renduz a la prisone, devant Justices en place dont le bref dexigend issist; cest assavꝰ, si de la place le Roi, q̃ adonq̃s il se rende en meisme la place; et si du cõe Baunk, adonq̃s se rend illoeq̃s; et si des Justices assignez doier & ꝑminer, seantz meismes les Justices, se rend devant eux, et sils soient levez, adonq̃s se rend en la place le Roi devant les Justices, & devant eux soit fait venir le record & ꝑces ꝑ bref: & les Justices susditz, devant queux ils ꝺront issint renduz, facent garnir la ꝑtie pleintif destre a ꝺtein jour devant eux; a quel jour, si le garnissement soit duement tesmoigne, adonq̃s pledent sur le pⁱmer bref original, auxicome nulle utlagꝛie neust este ꝑnuncie, si le pleintif viegne au garnissement; et sil ne viegne mie, soit lutlage delivꝰs ꝑ ꝺtue de sa chartre; et est a entendre q̃ totes tieles chartres sont de la gᵃce le Roi, come avant ont este.

Item pʳ ce q̃ moltz de gentz duement utlagez ont deffait les utlagꝛies ꝑnunciez sur eux, ꝑ cause denpⁱsonement, tesmoigne nient ꝺitablement ꝑ viscountes & autres qi nont pas record; Si est acorde & establi q̃ si nul desore enavant voille deffaire lutlagꝛie ꝑnuncie sur lui ꝑ tiele tesmoignance, qil se rend a la pⁱsone, & adonq̃s les Justices du Baunk le Roi facent garnir la ꝑtie, a qi seute lutlagꝛie estoit ꝑnuncie, destre devant eux a ꝺtein jour, a queu jour, si la ꝑtie voille avꝛer, q̃ la tesmoignance ne soit pas ꝺitable, soit resceu a lavꝛement. En mesme la maꝛe soit le ꝺjant le Roi, ou son attourne, ou autre qi voudra sure pʳ le Roi, resceu a lavꝛement contre tiele tesmoignance, en cas ou lutlagꝛie soit ꝑnuncie a la seute le Roi.

Item come en lestatut fait a Wyncestꝛ, en temps meisme le Roi lael, soit contenuz, q̃ si nul estraunge passe ꝑ pais de nuyt, de qi hõme eit suspecion, soit meintenant arestu & livꝛe au visconte, & demoerge en gard tant qil soit duement delivꝰs; et divꝰses robies, homicides, & felonies, ont este faitz einz ces heures ꝑ gentz qi sont appellez Roberdesmen, Wastours & Draghlacche; Si est acorde et establi, q̃ si homme eit suspecion de mal de nuls tielx, soit il de jour, soit il de nuyt, q̃ meintenant soient arestuz ꝑ les Conestables des villes; et sils soient arestuz en fraunchises, soient livꝛez as baillifs des fraunchises, et si en gildable, soient livꝛez as viscountes, & gardez en pⁱsone tant q̃ a la venue des Justices assignez a deliver les gaoles; & endemettiers facent les viscountes, ou baillifs des franchises, enquere des tielx arestuz, & a la venue des Justices retournent devant eux de ce lour enquestes, & ce qils avont trovez, & les causes des prises, od les corps, & outre aillent les Justices a la delivance de tielx arestuz selonc la lei; et en cas, q̃ les viscountes ou baillifs des fraunchises navont pas enquis de tielx arestuz, soient amciez, & nient meins facent les Justices enquere, & outre aillent a la delivance come susestdit.

ꝟ vic̃ Eboꝛ saltm. Quedam statuta, ꝑ nos & magnates & ꝑces regni nr̃i, in pliamento nr̃o apud Westm̃ ultimo convocato, ꝑ cõi utilitate populi regni nr̃i edita, sub sigillo nr̃o tibi mittim⁹ in forma patenti,

Mandantes qđ statuta illa, in singulis locis in ballia tua, tam infra libtates q^a^m extra, ubi expedire videris, legi, & ea in om̄ib; & singulis suis articulis publice ꝑclamari & teneri fac̃. T. R. apud Westm̄ xvj. die Octobr̃.

Eodem modo mandatū est singulis vicecomitib; ꝑ Angł. T. ut sup^a^.

Memoranđ qđ istud statutum, simul cū statutis ꝑcedentib; tempore R. Edwardi ꝑcii post conquestum fc̃is, missū fuit in Hibn̄ in forma pat̃, cū b̃ri seq̃n̄.

℞ dilc̃o & fideli suo Antonio de Lucy Justic̃ suo Hibn̄ salt̃m. Quedam statuta ꝑ nos, Prelatos, Comites, Barones, & alios magnates de regno nr̃o edita, in divꝰsis ꝑliamentis nr̃is postq^a^m gubnacula regni nr̃i suscepimus, vob̃ mittim⁹ in forma patenti; Mandantes qđ statuta ꝑdc̃a, & om̄es articulos in eis contentos, in ꝑdc̃a ꝑra nr̃a Hibn̄, tam infra libtates q^a^m ext^a^, publice ꝑclamari, & q^a^ntum ad vos & pplm̄ nr̃m ꝑciū illaꝝ attinet, firmiꝰ teneri & observari fac̃. T. R. apud Norhamptoñ, xi. die Aprił anno ꝑdc̃i ℞. sexto.

Commanding that the said Statutes, in all Places within your Bailiwick, as well within Liberties as without, where you shall see meet, you do cause to be read, and the same in all and singular their Articles to be publickly proclaimed and kept. Witness the King at Westminster, the 16th Day of October.

In the same manner it was commanded to the several Sheriffs throughout England. Witness as above.

Be it Remembered, that this Statute, together with the foregoing Statutes made in the Time of King Edward the Third after the Conquest, was sent into Ireland in form of Letters Patent with the Writ following.

The King to his trusty and well beloved Anthony de Lucy, his Justice of Ireland, Greeting. Certain Statutes by Us, and the Prelates, Earls, Barons, and other great Men of our Realm, set forth, in divers our Parliaments, since that we took upon Us the Government of our Realm, We do send unto you, in form of Letters Patent; Commanding that the Statutes aforesaid, and all the Articles therein contained, in our aforesaid Land of Ireland, as well within Liberties as without, you do cause to be publickly proclaimed; and so much as to you and our People of those Parts belongeth, to be firmly kept and observed. Witness the King at Northampton, the 11th Day of April, in the Sixth Year of the King aforesaid.

Anno 9° EDWARDI, III. A.D.1335.

Rotul' de Statuto edito apud Ebor'; anno r.r.E.t'cii post Conquestū nono. In dorso Rotuli.

ROLL of THE STATUTE made at YORK; In the NINTH Year of the Reign of K. EDWARD, the THIRD after the Conquest.

Ex magno Rot. Stat. in Turr. Lond. m. 25.

COME avant ces heures en plusurs ꝑlementz, & ore darrainement en parlement somons a Evꝰwyk a lendemayn de Lascension, lan du regne nr̃e Seign^r^ le Roi Edward, tiercz apres le conquest, noefisme, ꝑ les chivalers des Countez, Citeins des Citeez, & Burgeis des Burghs, queux y vindrunt p^r^ les cōmunaltez des ditz Countez Citez & Burghs, monstre fust a nr̃e Seign^r^ le Roi q̃ en plusours Citez, Burghs, & autres lieux de son roialme, g^a^ntz duresces et outrages damageous estoient faitz a lui & a poeple de son roialme, par ascunes gentz des Cites, Burghs, portz de meer, & autres lieus du dit roialme, qi nount pas suffert g^a^nt temps, ne uncore ne soeffrent marchantz estranges ne autres qi mesnent, carient, ou portent ꝑ meer & ꝑ ꝑre vins, avoir du pois & autres vivres, vitailles, & autres choses vendables p^r^ le Roi, Prelatz, Countes, Barons, Nobles, & le poeple de son roialme neceſſairs & p^o^fitables, les ditz vins, vivres, vitailles, ne autres choses vendables vendre, ne bailler as autres q̃ a ceux de meismes les Citez, Burghs, portz de meer, ou autres lieux ou les ditz vins, vivres, vitailles, ou autres choses vendables ꝰront mesnez, cariez, ou portez; & par ce si sont les choses susnomes mises & vendues au Roi [& a son poeple[1]] en les meins des ditz Citeins, Burgeis, & autres gentz denzeines,

[1] Interlined on the Roll.

STATUTE THE FIRST.

WHEREAS before this time in many Parliaments, and now at this present Parliament summoned at York, on the morrow after the Ascension, in the ninth year of the Reign of King Edward, the Third after the Conquest, it was shewed to our said Lord the King, by the Knights of the Shires, Citizens of the Cities, and Burgesses of the Boroughs, which come for the Commons of the said Shires, Cities, and Boroughs, that in divers Cities, Boroughs, and other Places of his Realm, great Duress and grievous Damage have been done to him and his People by some people of Cities, Boroughs, Ports of the Sea, and other Places of the said Realm, which in long time past have not suffered, nor yet will suffer Merchant Strangers, nor other, which do carry and bring in by Sea or Land, Wines, [Aver de pois,[1]] and other Livings and Victuals, with divers other Things to be sold, necessary and profitable for the King, his Prelates, Earls, Barons, and other Noblemen, and the Commons of this Realm, to sell or deliver such Wines, Livings, Victuals, nor other Things to any other than to themselves, of the ([2]) Cities, Boroughs, Ports of the Sea, or other Places where such Wines, Livings, Victuals, and other Things to be sold, shall be brought or carried; by reason whereof such stuff aforesaid is sold to the King and to his People, in the hands of the said Citizens, Burgesses, and other People, Denizens,

[1] Haver de pois or haberdash ware, *MS. Tr.* 2. [2] same

more dear than they should be, if such Merchant Strangers, and others, which bring such Things into the Realm, might freely sell them to whom they would, to the great damage of our Lord the King, and of his Prelates, Earls, Barons, and other Nobles of this Realm, and grievous oppression of his Commons: Whereupon the said Knights, Citizens, and Burgesses, for them and [the [1]] Commons, desired our said Lord the King in his said Parliament, by their Petition, that for [the [2]] profit and [commodity [3]] of [his [4]] Prelates, Earls, Barons, [and other Nobles of this Realm,[5]] it may please him without further delay upon the said Grievances and Outrage to provide Remedy:

I. Merchants may freely buy and sell, except to Enemies.

Our Lord the King, desiring the profit of his People, [by the assent of [6]] his Prelates, Earls, Barons, and other Nobles of his Realm, summoned at his Parliament, and [by the advice [7]] of his Council being there, upon the said things disclosed to him [and found true,[8]] to the great hurt [of the said Prelates,[9]] Earls, and Barons, and other Nobles of his Realm, and oppression of his Commons, [hath [10]] ordained and established, that all Merchants, Strangers and Denizens, and all other, and every of them, of what estate or condition soever they be, that will buy or sell Corn, Wines, Aver de pois, Flesh, Fish, and all other Livings and Victuals, Woolls, Clothes, Wares, Merchandises, and all other Things vendible, from whence soever they come by Foreigners or Denizens, at what place soever it be, City, Borough, Town, Port of the Sea, Fair, Market, or elsewhere within the Realm, within Franchise or without, may freely without interruption sell them to what Persons it shall please them, as well to Foreigners, as Denizens; except always the Enemies of our Lord the King, and of his Realm. And if haply any disturbance be done to any Merchant, Stranger, or Denizen, or any other, for the sale of such Things in any City, Borough, Town, Port of the Sea, or other Place which hath Franchise, and the Mayors and Bailiffs, or other which hath the rule of such Franchise, being required by the said Merchants, or other, thereof to provide remedy, and do not, and be thereof attainted, the Franchise shall be seised into the King's hands; and nevertheless he and the other which hath done this disturbance against this Statute, shall be bound to yield and restore to the said Merchant his double damages which he hath thereby sustained. And if such disturbance or interruption be done to such Merchants, or to other in such Towns or Places where no Franchise is, and the Lord, if he be present, or his Bailiff, Constable, or other Ruler of the said Towns and Places, in the absence of the Lords, being therein required to do right, and do not, and thereof be attainted; they shall yield to the Party Plaintiff his Double Damages, as afore is said; and the disturbers in the one case and the other, as well within Franchises as without, if they be attainted, shall have one year's Imprisonment, and nevertheless be ransomed at the King's Will. And It is ordained and established, that no Alien or Denizen, upon the same pain, shall be troubled, but that he may freely buy such Things aforesaid in the said Places, and carry them where it pleaseth him, to his own use, or to the profit of the King, or of the great Men, or the Commons of the Realm; saving that such Merchants Aliens shall carry no Wine out of the same Realm, as is contained in their Charter: And it is enacted and established, that the Things aforesaid shall be observed, performed, and kept in every City, Borough, Town, Port of the Sea, and other Places within the Realm, notwithstanding Charters of Franchise granted to them to the contrary, nor Usage, nor Custom, nor Judgement given upon their Charters, Usages, or Customs that they can alledge; which

Double Damages to Merchants interrupted; and also Forfeiture of Franchise, &c.

Aliens may buy and export any Goods, except Wines.

All Charters, Usages, &c. contrary to this Act declared void.

[1] their *MS. Tr.* 2. [2] his
[3] for the profit *MS. Tr.* 2. [4] his said *MS. Tr.* 2.
[5] { Nobles and Commons *Old Printed Copies.*
{ Nobles and People of his Realm *MS. Tr.* 2.
[6] in advisement with *MS. Tr.* 2. [7] with them *MS. Tr.* 2.
[8] found that the same Things were true, *MS. Tr.* 2.
[9] of him and of the said Prelates *MS. Tr.* 2.
[10] *Wherefore by our said Lord the King, with the Assent of the said Prelates, Earls, Barons, and other Nobles of his Realm, and of the Commons aforesaid, It is*

a trop g[a]nde cherte, outre ceo q̃ eles eussent este si les marchantz estranges, & autres qi font venir tieles choses deinz le roialme, les peussent franchement vendre a qi qils vousissent, a g[a]nt damage de nr̃e Seign[r] le Roi & des Prelatz, Countes, Barons, & autres Nobles de son roialme, & oppression de son people: Sur quei les ditz Chivalers, Citeins, & Burgeis, p[r] eux & p[r] lor cões prierunt a nr̃e Seign[r] le Roi en dit parlement, par lor peticion, q̃ p[r] son profit & p[r] le p̃fit des ditz Prelatz, Countes, Barons, Nobles, & le poeple de son roialme, lui plust saunz plus delay s[r] les ditz duresces & outrages mettre remede covenable:

Nr̃e Seign[r] le Roi desirant le p̃fit de son poeple, en avisement ove les Prelatz, Contes, Barons, & autres Nobles de son roialme, a son dit parlement somons, & ove ceux de son conseil illoeqes esteantz, des dites choses a lui monstrees, trova q̃ meismes les choses furunt p̃vitables, a g[a]nt damage de lui & des Prelatz, Countes, Barons, & autres Nobles de son roialme & oppression de son poeple: par quei p̃ le dit nr̃e Seign[r] le Roi de lassent des ditz Prelatz, Countes, Barons, & autres Nobles de son roialme, & les cões avantdites, ordine est & establi q̃ touz marchantz aliens & denzeins, & touz autres, & chescuns de eux de quel estat ou condicion qils soient, qi achatre ou vendre voillent blez, vins, avoir de pois, chares, pesson, & touz autres vivres & vitailles, laines, drapz, m̃cez, marchandises, & tote manr̃e dautres choses vendables, de queu p̃t qils veignent p̃ foreins ou par denizeins, a quel lieu q̃ ceo soit Cite, Burgh, ville, porte de meer, feire, marche, ou autre lieu deinz meisme le Roialme, deinz franchise ou dehors, les peussent f[a]nchement & saunz destourber vendre a qi q̃ lor plest, auxibien as foreins come as denzeins, forspris les enemys de nr̃e Seign[r] le Roi & de son roialme. Et si p̃ cas destourbance soit faite a nul marchant alien ou denzein, ou a autre s[r] la vente des tiels choses en Citee, Burgh, ville, port de meer, ou autre lieu q̃ franchise eit, & les maire, baillifs, ou autres q̃ unt garde de la dite franchise, requis p̃ les ditz marchantz ou autre de ent faire remedie & il ne le face, & de ceo soit atteint, soit la franchise prise en la mein le Roi; & nientmeins soit tenuz lui & les autres qi auront fait cele destourbance contre cest estatut de render & restorer au dit marchant ses damages qil a̅ soeffert p̃ cele encheson au double. Et si tiele destourbance soit faite as tiels marchantz, ou as autres, es villes ou lieux ou franchise nest, & le Seign[r] sil soit p̃sent, ou son Baillif, Conestable, ou autre gardein des dites villes & lieus en absence des Seign[r]s, ent requis de faire droit ne le facent, & de ceo soient atteintz, rendent le damage au pleintif au double, auxi come desus est dit; & les destourbeours en lun cas & en lautre, auxibien deinz franchises come dehors, sils soient atteintz eient la prisone dun an, & jadumeins soient reintz a la volunte le Roi. Auxint est ordine & establi q̃ nul alien ne denzein s[r] meismes les peines ne soit destourbe qil ne peusse franchement achatre les choses susnomes es lieux susditz, & carier la ou lui plerra, a son oeps demeigne, ou al p̃fit du Roi & des g[a]ntz & du poeple du dit Roialme; forspris q̃ les marchantz aliens ne amesnent vins hors de meisme le Royalme, come est contenu en lor chr̃e: et est ordine et establi q̃ les dites choses soient tenues, gardez, et fournies, en chescune Cite, Burgh, ville, port de mer, & autre lieu deinz le dit Roialme, nient contrestante chr̃e de franchise a eux g[a]nte a contrair, ne usage, ne custume, ou jugementz renduz s[r] lor chr̃es, usages ou custumes, q̃ eux p[r]ront alleger; les queles

chĩres usages & custumes, si nulles soient, nĩre Seignr le Roi, Prelatz, Countes, Barons, & gntz & cõmunaltez avantditz tienent de nulle force, comes choses gntes, uses ou acustumes, au damage du Roi, Prelatz, Countes, Barons, et gntz de son roialme, & oppression de son poeple; sauve totefoitz au Roi & as autres les custumes dues des dites marchandises. Auxint ordine est & establi q̃ le Chaunceller, Tresorer, & Justices assignez a tenir les plez le Roi, es lieus ou il viegnent enquergent des tieles destourbances & grevances, & facent punissement selonc ceo qest avant ordine; et nientmeins q̃ le Roi face assigner, p cõmission de son gnt seal, ẽteines gentz ou & qnt lui plerra denquere de tieles destourbances & grevances, & de faire punissement come desus est dit.

Et auxint a la requeste des ditz cõmunaltez, faite a nĩre dit Seignr le Roi a son dit parlement, nĩre Seignr le Roi, pr le eise de son poeple, p assent des Prelatz, Countes, Barons, & autres gntz et cões avantditz, ad oste nounplevine de ẽre, qad este acustume en temps de ses auncestres & son temps; & les peines q̃ soleient suire en cas q̃ ẽre ne fust mie plevie en du temps. Et auxint est ordine & establi q̃ nul ne perde sa ẽre desore par cause de nounplevine, et q̃ cest estatut eit lieu auxibien en plez pendantz ou jugement nest mie rendu, come en temps avenir.

Ensement a la requeste des dites cõmunaltez, faite a nĩre Seignr le Roi a son dit parlement, ordine est & establi par nĩre Seignr le Roi, del assent des Prelatz, Countes, Barons, & autre gntz & cões avantdites, q̃ ou brief de dette est porte vs plusurs executours, q̃ les ditz executours ne nul de eux ne eit forsq, un essoigne avant apparance, cest assavoir a la somonse ou a lattachement; ne aps apparance ne eient q̃ un essoigne come le testatour aveit; issint q̃ mes ne peussent fourcher p essoigne, ne avant apparance ne aps apparance; et pr ceo q̃ touz les executours representent la persone le testatour come une persone, si est auxint acorde & establi q̃ tout soit ceo q̃ visconte respoigne, a la somonse, q̃ ascun de eux neit riens ou il poet estre somons, jadumeins soit agarde latachement sr lui; et si le visconte respoigne qil nad riens p quei il poet estre attache, soit agarde le gnde destresce, issint q̃ a la gnde destresce retourne sr eux, respoigne al pleintif celui ou ceux qi primement apparra ou apparrunt en Court. Et tout soit ceo q̃ ascun de eux eit apparu en Court, & face defaute au jour q̃ la gnde destresce soit retourne sr les autres, jadumeins respoigne celui ou ceux qi primes appara ou apparrunt a la gnde destresce retrne; et en cas q̃ jugement passe pr le pleintif, se face le jugement & execucion devs ceux qi unt pledez, solonc la lei avant use, & devs touz les autres nomez en le brief, des biens le testatour, auxicome ils eussent trestouz pledez. Et est a entendre q̃ si nul en tieu cas voudra suire, selonc la lei q̃ cea enarere ad este use, q̃ franchement le peusse faire, nient contrestant cest estatut.

Et auxint pr ceo q̃ avant ces houres plusures gentz unt este sovent delaiez de lor accions, auxibien en assises & autres plez de ẽre, come en contractz, covenances & trespasses, p encheson q̃ les tenantz ou defendantz unt mys en barre relesses, quitéclamances, ou autre fait especial, faitz deinz franchises, dedeinz les bondes du roialme ou brief le Roi ne court mie; acorde est & establi, q̃ qnt tieux faitz sont mis avant en barre daccion, portantz date de lieu deinz meisme la fnchise, tout soit il q̃ tesmoignes de meisme la fnchise soient nomez en meismes les faitz, et meismes les faitz soient deditz, soit pces fait en

Charters, Usages, and Customs, if any be, our Lord the King and the Prelates, Earls, Barons, great Men, and the Commons aforesaid, hold them of no force, as Things granted, used, or accustomed, to the damage of the King and his Prelates, Earls, Barons, and great Men of his Realm, and to the oppression of the Commons; saved alway to the King, and to other, the Customs due of the said Merchandises. It is also ordained and provided, that the Chancellor, Treasurer, and the Justices assigned to hold the King's Pleas, in places where they come, shall enquire of such disturbances and grievances, and the same shall punish according as is before ordained; and nevertheless the King shall assign by commission of his Great Seal certain Persons, where and when it shall please him, to enquire of such disturbances and grievances, and the same to punish, as before is said.

Duties of Customs.

How such Offences shall be enquired of and punished.

II. No Man shall lose Land because of Nonplevin.

Item, At the request of the Commons aforesaid, made to our Lord the King at the said Parliament, our Lord the King, for the ease of his People, by the assent of the Prelates, Earls, Barons, and other great Men, and the Commons aforesaid, hath put out Nonplevin of Land, which hath been accustomed in the time of his Progenitors and his own time, and the pain also that was wont to ensue, in case the Land was not replevied in due time. Also it is enacted, that none shall lose his Land from henceforth because of Nonplevin; and that this Statute hold place as well in Pleas yet hanging, wherein no judgement is given, as in time to come.

III. Executors shall not fourch by Essoin.

Item, At the request of the said Commons made to our Lord the King in his said Parliament, It is ordained and established by our Lord the King, by the Assent of the Prelates, Earls, Barons, and other great Men, and the Commons aforesaid, that in a Writ of Debt brought against divers Executors, the same Executors, nor any of them, shall have but one Essoign before Appearance, that is to say, at the Summons or Attachment; nor after Appearance they shall have but one Essoign, as the Testator should have had; so that (1) all the Executors do [present[2]] the Person of the Testator as one Person: It is also enacted, that though the Sheriff do answer at the Summons, that some of them have nothing whereby he may be summoned, yet there shall an Attachment be awarded upon [them[3]]; and if the Sheriff answer, that he hath nothing whereby he may be attached, the great Distress shall be awarded, so that at the great Distress returned upon them, he or they that do first appear in the Court shall answer to the Plaintiff. And although some of them have appeared in the Court, and make Default at the Day that the great Distress is returned upon the other, yet nevertheless he or they shall be put to answer, that first appeared, at the great Distress returned; and in case the Judgement pass for the Plaintiff, he shall have his Judgement and Execution against them that have pleaded, according to the Law heretofore used, and against all other named in the Writ, of the Goods of the Testator, as well as if they had all pleaded. And it is to be understood, that if any, in such case, will sue according to the Law that hath been used heretofore, he may freely do it notwithstanding this Statute.

Process against Executors.

Judgment against all, where some only plead.

IV. Where Deeds are dated where the King's Writ runneth not, Inquests shall not be delayed, for the Absence of Witnesses to the Deeds

And because in Times past many have been oftentimes delayed of their Action, as well in Assises and other Pleas of Land, as in Contracts, Covenants, and Trespasses, by reason that the Tenants or Defendants have pleaded in Bar a Release, Quit-claim, or other special Deed, made within a Franchise within the Bounds of the Realm, where the King's Writ runneth not; It is enacted and established, That when such Deeds be shewed forth in Bar of an Action, bearing Date in a Place within the same Franchise, although there be Witnesses of the same Franchise named in the same Deeds, if the same Deeds be denied, Process shall

[1] Executors shall not forch by Essoin neither before appearance, nor after; And because that

[2] represent [3] him

be awarded into the same County where the Plea shall be moved, to have the Inquest of the Country and the Witnesses to appear; and if the Witnesses come not at the great Distress returned, then for the Absence of the said Witnesses, the Justices shall not let to proceed to the taking of the Inquest, as well as if such Deed did bear date in the same Shire where the Plea was moved, and the Witnesses were of the same County.

V. Justices of Assise, &c. shall send all their Records determined into the Exchequer.

Item, At the Request of the Commons, our Lord the King by the said Assent hath ordained and established, That Justices of Assises, Gaol-delivery, and of Oyer and Terminer, shall send all their Records and Processes determined and put in Execution, to the Exchequer at Michaelmas, every Year once, to be delivered there; and the Treasurer and Chamberlains, which for the Time shall be, having the Sight of the Commissions of such Justices, shall receive the same Records and Processes of the said Justices (1) under their Seals, and keep them in the Treasury, as the Manner is; so that the Justices always do first take out the Estreats of the said Records and Processes [against them,2] to send to the Exchequer, as they were wont before.

1 or *MS. Tr.* 2. 2 themselves

The King to the Mayor and Bailiffs of the Town of Southampton, Greeting. Certain Statutes by Us, in our Parliament summoned at York, on the morrow of the Ascension of our Lord last past, with the assent of the Prelates, Earls, Barons, and all the Commonalty of our Realm there being, for the common weal of the People of the same Realm, set forth, We do send unto you, under our Seal, Commanding that those Statutes, and all the Articles therein contained, you do cause to be read and publickly proclaimed in the Town aforesaid, and so much as to you belongeth strictly observed.

Witness the King at Newcastle-upon-Tyne, the 30th Day of June.

In the same manner it was commanded to the Under-written, changing what ought to be changed, to wit,

The Mayor and Sheriffs of London.
The Mayor and Bailiffs of the Town of Bristol.
The Bailiffs of the Town of Great Yarmouth.
The Bailiffs of the City of Lincoln.
The Bailiffs of the Town of Sandwich.
The Bailiffs of the Town of Bishops Lynn.
The Mayor and Bailiffs of the Town of Southampton.
The Justices assigned to hold Pleas before the King.
The Justices of the Bench.
The Treasurer and Barons of the Exchequer.
The several Sheriffs throughout England.

meisme le counte [ou le plee1] ꝑra mu de faire venir bon pais [& les tesmoignes,2] & si les tesmoignes ne ne viegnent mie a la gᵃnde destresce retourne, adonqes pʳ labsence des ditz tesmoignes ne lessent les Justices qils naillent a la prise de lenqueste, auxi come le fʳit portast date de meisme le Counte ou le ple fust meu, & q̃ les tesmoignes feussent de meisme le Counte.

Et ensement, a la requeste des dites cõmunaltez, ad nr̃e Seignʳ le Roi, de meisme lassent, ordine & establi q̃ Justices as assises prendre, gaoles deliv̄er, & doier & t̄miner assignez, touz lor recordes & ꝓcesses, t̄minez & maundez en execucion, mandent a lescheqier a la Seint Michel chescun an unefoitz, a liv̄er illoeqes; et q̃ le Tresorer & les chaumbreleins qi pʳ temps ꝺront, vewes les cõmissions des ditz Justices, meismes les recordes & ꝓcesses resceivent des ditz Justices, ou desouz lor seals, & les gardent en tresorie come mañe est; Issint totes foitz q̃ les ditz Justices primes preignent hors les estretes des ditz recordes & ꝓcesses dev̄s eux, pʳ mander a lescheqier come avant soleient.

1 2 Interlined on the Roll.

Ꝯ Majori & ball̃is ville Suthamptoñ sal̃tm. Quedam statuta, ꝑ nos in ꝑliamento nr̃o apud Ebor̄ in Crastino Ascensionis Dñi ꝑx̄ ꝑt̄ito convocato, de assensu Prelator̄, Comitū, Baronū, & tocius cõitatis regni nr̃i ibidem existenciū, ad cõem utilitatem populi ejusdem regni edita, vobis mittimus sigillo nr̃o consignata; Mandantes qd̄ statuta illa, & omnes articulos in eis contentos, in villa p̄dc̃a legi & publice ꝓclamari, & q̃ntum ad vos ꝑtinet firmit̄ observari fac̃. T.R. apud Novū Castrum sup̄ Tynam xxx. die Junii.

Eodem modo mandatum est subscriptis, mutatis mutandis, videl̃t.

Majori & vicecomitib̄ Londoñ.
Majori & ball̃is ville Bristol̃.
Ball̃is ville Magne Jernemuth̃.
Ball̃is Civitatis Lincolñ.
Ball̃is ville de Sandwico.
Ball̃is ville de Lenne Ep̄i.
Majori & Ball̃is ville Suthampton.
Justic̃ ad ꝑlita coram Ꝯ tenend̄ assign̄.
Justic̃ de Banco.
Thes̄ & Baronib̄ de Scᵃcio.
Singulis vicecomitib̄ ꝑ Angl̃.

Ex Rot. Fin. in Turr. Lond. 9 Edw. III. m. 10.

D' divses Ordeinances faites s' la moneye pupplier & gardir.

LE ROI au Visconte Deverwyk, salutz. Pur ceo q̃ nous avoms entendu q̃ plusurs gentz p̃ de la la mer safforcent a countrefere nr̃e bone monoye Lesterlyng Dengleterre, en plus feble moneye, & cele feble moneye denveyer en nr̃e roialme, en deceite de no⁹ & damage & oppression de nr̃e poeple si remedie ny soit mis; Nous voillantz as tieux damages & oppressions arester, & s' ceo & a ceo q̃ nr̃e dite bone moneye soit multiplie deinz nr̃e Roialme & les tres de nr̃e poair, a p̃fit de nous & de nos sūmis, p'veer remedie covenable; p̃ assent des platz Contes & Barons de nr̃e dit Roialme a nr̃e plement tenuz a Everwyk a Lendemeyn del Ascencion pschein passe assembletz, avoms ordeinetz & establitz les choses q̃ sensuent en la manere suthescrite.

Primement p'veu est, q̃ nul home desormes de Religion ne autre ne port lesterling hors del Roialme Dengleterre, ne argent en plate, ne Vessel dor, ne dargent, s' forfait'e de la moneye, plate ou vessel qil portera sanz especial conge de nous. Item q̃ nule fause monoie, ne contrefaite lesterlyng, ne soit porte el Roialme, ne aillours en nr̃e poer, s' forfait'e de la monoie; issint totes voies q̃ totes gentz de quecumqes Roialme ou poer qils soient, pussent sauvement porter as les eschanges au billon, & nemie aillours, argent en plate, vessel dargent, & totes maneres de monoies dargent, de quecumqe value qils soient, sauve fause monoie, & lesterlyng contrefaite, & illoeqs receivent bone & covenable eschange. Et q̃ nul esterlyng, maille ne ferthing soit fondu p' vessel ne autre chose faire, par orfeures ne aut's s' forfait'e de la monoie issint fondu & q̃ lorfeure ou aut qi la'a issint fondu, soit mis a la prisone, & illoeqs demorge tanq̃ il a'a rendu a nous la moite qil a'a issint fondu, nient contrestant Chre ou franchise g'nte ou use en contrair. Et q̃ totes mans de noire monoie, q̃ courent ja cōmunalment en noz roialme ou poer, soient tote outrement ostez, issint q̃ nule courge aps les mois pscheyn aps la crie faite s' forfait'e de meisme la monoie. Et q̃ checun hōme q̃ voudra suir p' nous, contre teux qi fraude ferront contre ceste ordinance, soit a ceo rescieu, & de ce q̃ srra issint derene, a sa seute, au p̃fit de nous, eit le quart den.

Et q̃ Meir ou Bailiffs en checun port, ou Marchantz & niefs sont, preignent sment des Marchantz & Mestres des niefs, aillantz & revenantz, qils ne ferront nule fraude countre ceste ordinance en nul point.

Et q̃ table deschange soit a Dovorr̃, & aillours, ou & q'nt il semblera a no⁹ & a nr̃e consail p' faire eschange. Et q̃ les gardeins des dites tables facent eschanges p̃ tesmoignance des contrerouleurs queux n⁹ ymettroms.

Et q̃ nul pelerin passe hors de nr̃e Roialme vs les pties de dela, forsq̃ a Dovorr̃, s' peine demprisonement dun an. Et q̃ bon garde & estroite se face en touz lieuz, s' la costere de la mere, es portz & aillours, ou nul mane de arrival est, par bons & loials jurez, qi en noun de no⁹ facent diligealment scher, q̃ nul de quel condicion ou estat qil soit, ne porte monoie desterlyng, argent en plate, ne vessal dor, ne dargent hors

STATUTE THE SECOND.

[EDWARD by the Grace of God King of England, &c. to the Sheriff of N.'] greeting. Because We have perceived that divers People beyond the Sea do endeavour themselves to counterfeit our (1) Sterling Money of England, (2) and to send into England their weak Money, in deceit of us, and Damage and Oppression of our People, if Remedy be not provided: We, willing to prevent and let all such [Deceits,] Damages, and Oppressions, [and that 4] our good Money be increased in our Realm, and other Countries within our Power, to the Profit of Us and our Subjects (5); by the Assent of the Prelates, Earls, Barons, [and other great Men,] of our Realm, at our Parliament holden at York, the Morrow of the Ascension last past, there assembled, have ordained and established these Things ensuing in the Manner underwritten.

For the publishing and observing of divers Ordinances made relating to Money.

I. No Money, nor Plate, shall be exported.

FIRST, It is provided that from henceforth no Religious Man, nor other, shall carry any Sterling out of the Realm of England, nor Silver in Plate, nor Vessel of Gold nor of Silver, upon pain of Forfeiture of the Money, Plate, or Vessel that he shall so carry without our especial Licence.

II. Importation of counterfeit Money prohibited.

ITEM, That no false Money or counterfeit Sterling be brought into the Realm, nor elsewhere within our Power, upon Forfeiture of such Money; so always that all People of what Realm or Dominion they be, may safely bring [to the Exchanges, and to no Place else, Bullion 6] Silver in Plate, Vessel of Silver, and all Manner of Money of Silver, of what Value soever it be, saving false Money and Sterling counterfeit, and there receive good and convenient Exchange.

Saving for Plate, &c.

III. No Sterling shall be melted, to make Vessels, &c.

Penalty.

ITEM, That no Sterling Halfpenny nor Farthing be molten, for to make Vessel or any other Thing by Goldsmiths, nor other, upon Forfeiture of the Money so molten; and that the Goldsmith or other, which hath so molten such Money, shall be committed to Prison, there to remain till he hath yielded unto us the one half of that that he hath so molten, notwithstanding any Charter or Franchise granted or used to the contrary.

IV. Base Money shall not pass current.

ITEM, That all Manner of black Money, which hath been commonly current of late in our Realm and Obeisance, be utterly excluded, so that none such shall be current after a Month next after the cry thereof made, upon pain of Forfeiture of the same Money.

V. The Informer shall have ½ of the Forfeiture.

ITEM, Every Man that will sue for us against those that commit any Fraud against this Ordinance shall be thereto received; and he to have the fourth penny of that that shall be so atchieved at his Suit to our Profit.

VI. Oath of Merchants and Ship-Masters.

ITEM, That the Mayors and Bailiffs in every Port where Merchants and Ships be, shall take an Oath of the Merchants and Masters of the Ships going and coming again, that they shall do no Fraud against this Provision in any Point.

VII. Tables of Exchange at Dover, &c.

ITEM, That the Tables of Exchange shall be at Dover, and in other Places where and when it shall please Us and our Council to make Exchanges: And that the Wardens of such Tables shall make such Exchanges by the Testimony of Controllers which we shall put to them.

VIII. Passage of Pilgrims.

ITEM, That no Pilgrim shall pass out of our Realm to the Parts beyond the Sea, but only [to 7] Dover, upon pain of a Year's Imprisonment.

IX. Searchers shall be appointed and sworn for executing this Act.

ITEM, That good and strait Ward be made in all Places upon the Sea Coasts, in Havens and elsewhere where any Arrival is, by good Men and lawful thereto sworn, [that in our Name they shall 8] make diligent Search, that no Man of what Estate or Condition he be, shall carry out of the Realm Sterling Money, Silver, [or 9] Plate, [nor in Vessels 10] of Gold, nor of Silver, without

1 *The King, to the Sheriff of York*
2 good
3 *in more weak money,*
4 and to this that *MS. Tr.* 2.
5 to purveie covenable Remedie *MS. Tr.* 2.
6 to the Exchanges to Bullion, and to no place else *MS. Tr.* 2.
7 at *MS. Tr.* 2.
8 *who, in our Name, shall*
9 *in*
10 nor Vessel

our Licence; nor shall not bring into our said Realm and Power, any false Money and counterfeit Sterling as afore is said, upon the Pains and Forfeitures aforesaid. And that the Money, Plate, or Vessel so forfeit, be delivered at [the [1]] Exchanges by Indenture, whereof the one part shall remain with the Searchers, and be delivered at the Exchequer, and thereby the Warden of the Exchange shall be charged of that that he hath received.

X. Reward, and Penalty, for Searchers.

ITEM, The Searchers shall have of our Gift the Fourth Penny for their Labour of as much as they shall find so forfeit: And if any such Searchers make any Release, or do dispense with any, and thereof be attainted, they shall forfeit all their Goods.

XI. Innkeepers shall have the Power of Searchers.

Item the Hostelers in every Port where any Passage is, shall be sworn to search their Guests in the same Manner as the Searchers do; and they to have the Fourth Penny of that they shall find so forfeit to us, as the Searchers should have. And it is our intent and meaning that the said Searchers shall have Power to search the Hostries and to instruct themselves of the Hostelers Acts. And in case such Hostelers be found defective in any Article aforesaid, they shall be punished, and that they shall run in the said Forfeitures.

Wherefore We do command firmly enjoining that, incontinently upon the Sight of these Letters, all the said Points and Articles be cried and published in Cities, Boroughs, Merchant Towns, (2) and other Places through your Bailiwick, as well within Franchises as without, where it shall seem to you convenient to be done.

And in all other Places within your Bailiwick where need shall be, except the Places where such Keepers and Searchers shall be deputed by Us, you shall cause such Searchers and Keepers to be established, and sworn to keep and maintain this Ordinance in the Form aftermentioned, upon the Pains in that Form contained. And of the Names of those who henceforth shall be assigned Searchers and Keepers by you, you shall without Delay certify the Treasurer and Barons of our Exchequer.

[1] *our* [2] Ports *MS. Tr.* 2.

de nře Roialme sanz congie de no^{9}, nene porte es ditz Roialme ou poair, monoie fause, ne contrefaite lesterlinge, come avant est dit, s^{r} les peines & forfait'es susdites. Et la monoie vessel ou plate, ensi forfaite, soit livrez as noz eschanges p endent'e, dont lune, ptie demorante devs les scheours soit livre al Escheqer & p ycele soit le Gardeyn des eschanges charge de ceo qil a va receu.

Et q̃ les schours eient de nře doun le quart den̄ p^{r} lour t^{a}vail de q^{a}nq, qil trovent issint forfaitz. Et si les schours facent relees, ou desport a nuly, & de ceo soient ateintz, soient a la forfaiture de q^{a}nq, qils avont en biens; & q̃ les hostillers en checun port ou passage est, soient smentez de faire le sche s^{r} lour hostes, en la manle q̃ les schours ferront, et eient de ceo qils trovent forfait, le quart den̄, de ceo q̃ sra issint forfait a no^{9} come avont les ditz schours. Et est nře entencion q̃ les ditz schours eient poer, de scher les hosteux, & de soi enfourmer des faitz des hostilers; et q̃ les hostilers en cas qils soient trovez en fraude countre les dites choses; qils soient puniz & encourgent la forfait'e susescrite. Par quex nous vous mandoms fermement enjoignantz q̃ meintenant vews cestes tres toutz les Articles & pointz susdites, facez crier & publier en Cites & Burghs, villes marchandes, portz & [en [1]] touz aufs lieux [pmye vre ballie, auxibien denz f^{a}nchise come dehors, la ou vo^{9} vrez q̃ seit a fere; et en touz autres lieux [2]] deinz vre baille ou mestir sra, forpris les lieux ou tiels gardeins & scheurs sront deputez p no^{9}, facez tielx scheurs & gardeins establir & jurer de ceste nře ordinance tenir & gardir en la fourme desusdite, s^{r} les peines en ceste fourme contenues. Et de nouns de ceux q̃ ensuit sront assignez scheurs & Gardeins de pvous, santz delai ctifiez le Tresorer & Barons de nře Escheqer.

[1] } Interlined on the Roll.
[2] }

Given under our Great Seal at York, the Sixth Day of June in the Ninth Year of our Reign.

In the same Manner It was commanded to the several Sheriffs throughout England, and to the others underwritten; namely,

William de Clynton Constable of the Castle of Dover, and Warden of the Cinque Ports, &c. within the Liberties of the Cinque Ports.

The Justice of North Wales within his Bailiwick.

The Justice of South Wales within his Bailiwick.

Edward Earl of Chester, or his Justice of Chester, or the Deputy of the said Justice, &c. within the County of Chester.

The Bishop of Durham within his Liberty of Durham. Witness as above.

Doñ soutz nře g^{a}nt Seal a Everwyk le vj^{me} jour de Juyn lan de nře regne noefisme.

Eodem modo mandatum est singulis Vicecom̄ p Angl & aliis subscriptis; videlt,

Willo de Clyntoñ Constabular Castri p Dovorr & Custodi quinq, portuñ &c. infra lib̄tatē quinq, portuñ.

Justic̄ Northwall infra ballam suam.

Justic̄ Suthwall infra ballam suam.

Edwardo Comiti Cestr, vel ejus Justic̄ Cestr aut ejusdē Justic̄ locū tenenti &c. infra Com̄ Cestr.

Ep̄o Dunolm infra lib̄tatem suam Dunolm. T. ut sup^{a}.

Oath of the Searchers of Money.

THE OATH of the Searchers. You shall swear, that well and truely you shall make Search of all the Things contained in your Commission, whereof Search ought to be made according to the Commission, and all other Things contained in the same you will faithfully perform, and with that which you shall find forfeited to the King, you shall truely charge yourself, and a true Indenture thereof make, and a true Account render: and that you shall not dispense with any one, for love or for favour, to get private gain, whereby the King may be a loser: So help you God and his Saints.

Le sment des schours. Vous jurrez q̃ bien & loialment ferez le sche des totes choses contenues en vre cōmission dont sche doit estre fait solonc la cōmission & totes les autres choses contenuez en y cele loialment pfournerez & de ceo q̃ trovez forfait au Roi loialment vo^{9} chargerez & loiale endent'e ent ferretz & loial acompt rendrez: & a nuly p^{r} am^{r} ne p^{r} favour, en singuler pfit avoir ne desporterez p quey le Roi soit pdant: si dieux vous eide & ses Seintz.

Le sment des schours de la moneie.

Anno 10° EDWARDI, III. A.D.1336.

Ex Magno Rot. Stat. in Turr. Lond. m. 24.

Anno x^mo.

PUR ce q̃ nr̃e Seign^r le Roi Edward, tierce aꝑs le conquest, q̃ desire soveinement la meintenance de sa pees, & salvacion de son poeple, ad entendu a la pleinte des Prelatz, Countes & Barouns, & auxint a la demonstrance des Chivalers des Countez & gentz de cõe, p lor peticion mise en son plement tenu a Westmonstier le Lundy ꝓchein aꝑs my quaresme lan de son regne disme, diverses oppꝰssions & grevances faites a son dit poeple, & nomement par murdrours, robeours, larouns, ravisours des fẽmes, & autres felons, coveitant p^r refreindre la malice des tielx felons p^rveer de remede covenable, si ad ordine & establi, del assent des ditz Prelatz, Countes, Barouns, & autres Nobles de son Roialme, & a la requeste des ditz chivalers & gentz de cõe, p^r quiete & pees de son dit poeple q̃ les articles southescritz soient gardez & meintenuz en touz poinz. En p^mes si est acorde & establi q̃ la g^nde ch̃re & la ch̃re de la Foreste, & auxint les estatutz faitz en temps des ꝓgenitours nr̃e Seign^r le Roi, & en son temps demeigne soient tenuz, gardez, & fermement meintenuz, auxibien deꝰs les g^ntz come deꝰs les petitz, & les riches come les povres.

Ensement p^r ce q̃ murdrours, robeours, larons & autres felons sont grandement esbaudiz de meffaire de ce q̃ ch̃res de pardoun des homicides, robies, felonies, & autres trespas contre la pees ont este si leg^ment g^ntez avant ces heures; si est acorde & establi ꝓ nr̃e Seign^r le Roi, del assent des Prelatz, Contes & Barons, & a la requeste des ditz Chivalers & gentz de cõe, q̃ nulles tieles ch̃res desore soient g^ntez ꝓ nr̃e Seign^r le Roi, contre la forme del estatut fait nadgaires a Norhamptoñ, lan du regne le Roi qore est second.

Et q^nt as ch̃res g^ntez en temps passe, si est acorde & establi ꝓ nr̃e Seign^r le Roi, de meisme lassent & a la dite requeste, q̃ touz ceux qi tieles ch̃res ont, vignent devant les viscontes & Coroners des Countez ou les felonies sont faites, entre cy & la Nativite de Seint Johan ꝓchein avenir, & chescun de eux troesse devant les ditz viscontes [& Coroners[1]] des Countez ou les felonies sont faites, sys bons & suffisantz meinpernours, p^r queux les ditz viscontes & Coroners voudrent respoundre, q̃ bien & loialment se portrent desore; & soient les meinprises enseales de lor seals, & ret^rnes en Chauncellerie a la quinzeine de la dite feste de Seint Johan: Et ceux qi se voillent eider ꝓ tieles ch̃res, & neient trove meinprise come sus est dit, ou aꝑs la meinprise trove se portent [autrement[2]] contre la pees q̃ faire deꝰont, soient les ch̃res tenues p^r nulles. Et en cas q̃ nr̃e Seign^r le Roi g^nte nulles tieles ch̃res en temps avenir, q̃ deinz le treis mois aꝑs les confeccions dicelles, vignent ceux q̃ aꝰont les dites ch̃res, & troessent devant les ditz viscontes & coroners des Countez ou les felonies sont faites, autiele meinprise & en maꝰe come devant de lor bon port; & soient les meinprises ensealez & ret^rnes en Chauncellerie, deinz les tres semeignes aꝑs la fin des ditz treis mois: et si ceux qi tieles ch̃res aꝰont p^r temps avenir se voillent eider ꝓ icelles, & neient trove tiele meinprise, ou aꝑs la meinprise trove se portent autrement contre la pees q̃ faire deꝰont, soient les ch̃res tenues ꝓ nulles come susest dit.

Explicit Statutũ.

[1] } Interlined on the Roll.
[2] }

STATUTE THE FIRST.

BECAUSE our Lord the King, Edward the Third after the Conquest, which sovereignly desireth the Maintenance of his Peace, and Safeguard of his People, hath perceived at the Complaint of the Prelates, Earls, Barons, and also at the shewing of the Knights of the Shires and his Commons, by their Petition put in his Parliament holden at Westminster the Monday next after Midlent, in the Tenth Year of his Reign, divers Oppressions and Grievances done to his said People, and namely by Murderers, Robbers, Thieves, Ravishers of Women, and other Felons; coveting, to obvent the Malice of such Felons, and to [see[1]] a [conveniable[2]] Remedy, hath ordained and established, by the Assent of the said Prelates, Earls, Barons, and other Nobles of [this[3]] Realm, and at the Request of the said Knights and Commons, for the quietness and peace of his People, that the Articles underneath written be kept and maintained in all Points.

I. Confirmation of former Statutes.

FIRST, It is accorded and established, That the Great Charter, and the Charter of the Forest, and also the Statutes made in the Time of the King's Progenitors, and also in his own Time, be kept, holden, and firmly maintained, as well by the great Men as by the small, and the rich Men as the poor.

II. Pardons shall not be granted contrary to the Statute 2 Ed. III. c. 2.

ITEM, Whereas Murderers, Robbers, ([4]) and other Felons, be greatly encouraged to offend, by reason that Charters of Pardon, of Manslaughter, Robbery, Felonies, and other Trespasses against the Peace, have been so lightly granted before this Time; It is accorded and established by our Lord the King, by the Assent of his Prelates, Earls, ([5]) Barons, and at the Request of the said Knights, and Commons, that no such Charters from henceforth shall be granted by our Lord the King, against the Form of a Statute late made at Northampton the Second Year of his Reign.

III. Sureties shall be found by Persons pardoned; or Charters of Pardon shall be void.

AND [as[6]] Charters granted in Times past: It is accorded and established, by our Sovereign Lord the King, by the same Assent, and at the Request aforesaid, that all such which have such Charters, shall come before the Sheriffs, and Coroners of the Counties, where the Felonies be done, between this and the Feast of the Nativity of Saint John Baptist next coming, and every of them shall find before the said Sheriffs and Coroners of the Counties where the Felonies be done, ([7]) good and sufficient Mainpernors, for whom the said Sheriffs and Coroners will answer, that they from henceforth shall bear themselves well and lawfully; and the Mainprises shall be sealed with their Seals, and returned in the Chancery at the xv. of the said Feast of Saint John: And they that will aid themselves by such Charters, and have not found Mainprise, as above is said, or after the Mainprise found, bear themselves otherwise against the Peace than they ought, their Charters shall be holden for none. And in case that our Sovereign Lord the King grant any such Charters in Time to come, that within Three Months after the making of the same, they that ([8]) have the said Charters, shall come and find before the said Sheriffs and Coroners of the Counties where the Felonies be done, such ([9]) Mainprise, and also as before is said of their good bearing; and be the said Mainprises sealed and returned in the Chancery within Three Weeks after the end of the said Three Months: and if they that shall have such Charters will in Time to come aid themselves thereby, and have not found such Mainprises, or after such Mainprises found, do bear them otherwise against the Peace than they ought, their Charters shall be holden for none, as afore is said.

Here endeth The Statute.

[1] purveie *MS. Tr.* 2. [2] covenable [3] his [4] *Thieves* [5] and [6] as to [7] Six [8] shall [9] like

* *See the Note at the End of this Article.*

Statute the Second.*

THESE be the Articles accorded in the Parliament of our Lord King Edward the Third after the Conquest, holden at Westminster, the Monday next after the half of Lent, in the Tenth Year of his Reign, by our said Lord the King, with the assent of the Prelates, Earls, Barons, and also at the Request of the Knights of the Shires, and the Commons, by their Petitions put in the said Parliament.

I. Recital and Confirmation of Statute 5 E. III. c. 2. respecting Purveyors.

FIRST, It is accorded, that, for to repress the malice of the Purveyors of the King's, Queen's, and their Children's Houses, and of other Duresses by them done to the said People, by their outrageous Takings for the same Houses, and otherwise than is contained in the Article in a Statute made at Westminster, in the v. Year of the King's Reign that now is, in form as hereafter followeth; the same Statute shall be from henceforth published, kept, and holden in all Points.

Recital of Stat. 4 Ed. III. c. 1, 4.

"Where in the Statute made at Westminster, at the Parliament there summoned after the Feast of Saint Katharine, in the Fourth Year of the Reign of the King that now is, amongst other Things there enacted, it is contained, upon the Grievances which the Purveyors for the King's House, the Queen's, (1) and of their Children, did to the People in outrageous Measures of Corn, and [voluntary taking [2]] of Hay, Litter, and other Things provided by the said Purveyors, (3) that the Takers and Purveyors of Corn for the said Houses should take them by Measure stricken, according as hath been used through the Realm; and that all the Corn, Hay, Litter, Bestail, and all other Victuals and Things to be taken for the same Houses, should be praised at the true Value by the Constables and other good People of the Towns where such Prises be; and that the Praisors be not enforced by Threats and Duress to assess any other Price than their Oath will; and in the same Statute is one Article rehearsed, which was made in the Time (4) of King Edward, Grandfather to the King that now is, where certain Pains be limited against those that late made Purveyance for the said Houses; which Pains not regarded, the said Purveyors have not let to make outrageous and unlawful Prises against the Tenor of the said Statutes; To the Honour and Profit of our said Lord the King, and for the Peace and Quietness of his People, and to refrain and punish the Enormities of those that have committed such Outrages, to the King's, the Queen's, (5) and their Childrens great Slander; It is accorded and enacted, That the Taking and Purveyance for the said Houses shall be by Price made by the Constables and four discreet Men of the Towns where shall be such Prises and Purveyances, thereto sworn, and without Menace, as in the said Statutes is contained: And that also betwixt the Purveyors and them whose Goods shall be taken, in the Presence of the Constables and Prisors, Tallies shall be made and sealed with the Purveyors Seals of the Things so taken, by which Tallies Satisfaction shall be made to them from whom such Goods be taken. And if any Taker or Purveyor for the said Houses do take in any other Manner, he shall be incontinently arrested by the Town, where such Taking was made, and brought to the next Gaol; and if he be thereof attainted it shall be done of him as of a Thief, if the Quantity of the Goods the same require. and from thenceforth it shall be contained in the Commissions of such Takers and Purveyors, be they under the small Seal or the great, the Form and the Pain contained in this Statute. And that in every Case where Inquests be to be taken before the Steward and the

See Stat. 28 Ed. I. c. 2.

Tallies of Purveyance.

Form of Commissions.

[1] his Wyf *MS. Tr.* 2.

[2] *in wilfull tailing*

[3] established be it *MS. Tr.* 2.

[4] of good Memory *MS. Tr.* 2.

[5] his Wyf *MS. Tr.* 2.

Ex magno Rot. Stat. in Turr. Lond. m. 24.

CES sont les choses acordes en parlement nr̃e Seign[r] le Roi Edward, tierce a͛ps le conquest, tenu a Westmonstier le lundi p̃chein a͛ps my quaresme lan de son regne disme, par le dit nr̃e Seign[r] le Roi del assent des Prelatz, Countes & Barons, & auxint a la requeste des chivalers des Countez & gentz de cõe p̱ lor peticion mise en dit parlement.

En p̃mes est acorde, p[r] la malice refreindre des p[r]veiours des Hostels [le Roy [1]] la Royne, & de lor enfantz, & dautres des durtees p̱ eux faitz au dit poeple, par lour outraiouses prises p[r] meismes les hostielx & en autre mañe, q̃ larticle contenu en un estatut fait a Westm̃, lan du regne le Roi qore est quint, en la forme q̃ sensuit soit derechief publie, garde & tenu en touz pointz.

Come en lestatut fait a Westmonstier, au plement somons illoeques a͛ps la feste de seinte Kat̃ine, lan du regne le Roi q̃ore est quart, entre autres choses illoeqes acordez & establiz, soit contenuz s[r] les grevances q̃ les p[r]veiours p[r] les hostelx le Roi, la Royne sa compaigne, & de lor enfantz, fesoient au poeple en outraiouse mesure des blez, & auxint en voluntrive taille de fein, liv̱e, et autres choses p[r]vewes par les ditz p[r]veiours, establi soit q̃ les p̃nours & p[r]veiours des blez p[r] les ditz hostealx, les p̃ignent par mesure rese, solonc ce qe hõme use p̃my le Roialme, et q̃ touz les blez, fein, liv̱e, bestail, & toutes autres vitailles, & choses quecunqes q̃ sont a͛p̃ndre p[r] meismes les hosteals, soient prisez a la v̱roie value p̱ conestables & autres bones gentz des villes ou tieles prises se ferront, saunz ce q̃ p̱ manasce ou duresce soient les prisours chacez a mettre autre pris q̃ lour s̱ment ne voet; & en meisme cel estatut soit reherce un article q̃ fu fait en temps de bone memoire le Roi, ael le Roi qore est, ou c̱teines peines sont contenues contre ceux qi nounduement fesoient p[r]veiances p[r] tiels hostiels, p[r] les queles peines les p[r]veiours des ditz hostelx nont pas lessez affaire outraiouses & noundues prises contre le tenour des ditz estatutz; al hon[r] & p̃fit de nr̃e Seign[r] le Roi, & p[r] pees & quiete de son poeple, & p[r] refrener & punir la malveiste de ceux qi tieles outrages unt fait en esclaundre du Roi, la Royne sa compaigne & de lor enfantz; acorde est & establi q̃ les prises & p[r]veances se facent p[r] les ditz hostealx par pris fait p̱ conestable & quatre p̱des hõmes des villes ou tieles prises & p[r]veiances se ferront jurez & saunz manace sicome en les ditz estatutz est contenuz. Et q̃ entre les p[r]veiours & ceux des queux les biens s̱ront prises, en la p̃sence des Conestables & prisours soient tailles faites ensealez des seals les pveours des choses issint prises, p̱ les queles tailles gre soit fait as ceux des queux les choses s̱ront issint prises. Et si nul p̃nour ou p[r]veiour p[r] les ditz hostielx les face p̱ autre mañe, soit meintenant arestuz p̱ la villee ou la prise s̱ra faite, & mesne a la p̃cheine gaole, et si de ce soit atteint, soit la fait de lui come de laron, si la quantite des biens le demaunde. Et desore soit contenu en les cõmissions des tielx p̃nours & p[r]veiours soient eles souz le petit seal ou souz le g[a]nt seal, la forme & la peine contenues en cest estatut. Et q̃ en chescun cas ou enquestes sont a͛p̃ndre devant Seneschal ou Mareschaus

[1] Interlined on the Roll.

del hostiel le Roi, q̃ les enquestes soient prises p̱ gentz du pais en viroun, & nemie p̱ gentz del hostiel, sil ne soit des contracz covenantes ou trespas faitz p̱ gentz de meisme lostiel, dune p̱t & dautre, & ce en meisme lostiel, solonc un autre estatut ent autrefoitz fait en temps meisme le Roi laiel. Et q̃ en cas ou hõme se voudra pleindre de errour fait devant les ditz Seneschaus & Mareschaus eit le pleintif brief de faire venir le record & proces devant le Roi en sa place, & illoeq̃s soit lerrour redresce. Et auxint soit fait en chescun autre cas ou hõme se voudra pleindre de errour fait devaunt meismes les Seneschal & Mareschaux del hostiel le Roi.

Itm est acorde, p̃r les g̃ndes grevances q̃ les gardeins des g̃ntz chivals nr̃e Seigñr le Roi unt fait au poeple, come nr̃e Seigñr le Roi ad entendu a la dite demonstrance, q̃ p̃veiances desore affaire p̃r les ditz chivals, tant come ils sojournent nule p̱t, se facent desore p̱ viscontes des Countez ou les ditz chivals dev̄ont issint sojourner, & nemie p̱ autres; et q̃ les cõmissions avant ces heures faites as tieux gardeins, soient desore de nulle value & del tout repelez. Et q̃ les p̃veiances affaire p̱ les ditz viscontes en ce cas soient liv̄ez as ditz gardeins p̱ endent'e.

Et est auxint acorde q̃ c̄teines gentz soient assignez doier & t̄miner touz les trespas faitz p̱ les ditz gardeins auxibien a la seute nr̃e Seigñr le Roi come a la seute de p̱tie.

Itm est acorde p̱ nr̃e Seigñr le Roi, Prelatz, Countes, Barons, & autres du conseil le Roi, & auxint p̱ la cõe, p̃r les g̃ntz meschiefs q̃ sont avenuz en Roialme p̱ larons, felons, & autres malveis, q̃ touz ceux des queux nr̃e Seigñr le Roi a ore poet estre enfourme p̱ bones gentz, as queux il dev̄a foi doner, qi sont notoirs meffesours ou meintenours des meffesours, soit maunde de cy p̱ briefs as viscontes des pais ou les ditz meffesours & meintenours sont conv̄santz, ou p̃ront estre trovez, ou as autres as queux nr̃e Seigñr le Roi acordera, de les p̄ndre auxibien deinz fraunchises come dehors, & demp̃soner & sauvement garder. Et a ce en chescun pais soient assignez bones gentz & fiables, & de poer denquere oier & t̄miner s̃r les faitz des ditz meffesours & meintenours, solonc lei de t̄re; & jatardeis denquere des autres & doier & t̄miner; et estre ce qils eient poer de p̄ndre & comander a p̄ndre touz ceux queux notoirement sont defamez des tiels malveistez, auxibien deinz f̃nchises come dehors, & demp̃soner, & nient meins denquere & doier & t̄miner de lor faitz; et q̃ ce cours se tiegne saunz estre chaunge tanq̃ al p̄chein p̱lement, deinz queu temps hõme p̃ra assaier le bien & quiete q̃ p̃ra avenir p̱ la bone garde de la pees p̱ cest acord.

Itm est acorde q̃ les estatutz einz ces heures faitz, contenantz q̃ viscontes, hundreders, & baillifs soient des gentz eantz t̄res en meismes les Countez ou baillies, et auxint q̃ les hundredz & wapentaks bailliez a ferme q̃ auncienement furunt annex as fermes des Countez, & sev̄ez des viscountez, soient rejointz as Countez, soient gardez en touz pointz.

Et est auxint acorde q̃ les gaoles q̃ sont appendantz as viscountez, qe les soient gardez come auncienement soleient estre en temps des auncestres nr̃e Seigñr le Roi; et si les gardes des dites gaoles soient aillours liv̄ez, qeles soient reprises p̱ briefs, & baillez a ceux qi les deivent avoir de reson.

Marshal of the King's House, that Inquests be taken by Men of the Country thereabout, and not by Men of the King's House, except it be of Contracts, Covenants, or Trespasses made by Men of the King's House, of the one Part and of the other, and that in the same House, according to another Statute thereof made in the Time of the said [Edward[1]] the Grandfather: And in case where any will complain of Error made before the said Steward and Marshal, the Plaintiff shall have a Writ, to remove the Record and the Process before the King in his Place, and there the Error shall be redressed; and likewise shall it be done in every other Case where any Man will complain him of Error done before the same Steward and Marshal of the King's House."

Inquests taken in the Marshal's Court.

See Stat. 28 *Ed. I. c.* 3.

Error in the Marshal's Court.

ITEM, It is accorded, for the great Grievances that the Keepers of the King's Great Horses have done to the People, as our Sovereign Lord the King hath perceived by the shewing of the said Commons, that Purveyances from henceforth to be made for the said Horses, as long as they do sojourn in any Parts, shall be made by the Sheriffs of the Counties where the said Horses ought so to sojourn, and not by other; and that the Commissions made afore this Time to such Keepers, shall be from henceforth of none Effect, and utterly repealed. And that the Purveyances to be made by the said Sheriffs in this Case, shall be delivered [by[1]] the said Keepers by Indentures.

II. Purveyance for the King's great Horses shall be made by the Sheriffs.

Former Commissions repealed.

ITEM, It is accorded, that certain People shall be assigned to hear and determine all the Offences done by the said Keepers, as well at the Suit of the King as of the Party.

III. Determining Offences.

[1] *King* [2] to

ALSO It is accorded by our Lord the King, the Prelates, Earls, Barons, and others of the King's Council, and also by the Commons, because of the great Mischiefs that have happened in the Realm, through Thieves, Felons, and other evil Persons, that as to all those of whom our Lord the King may at present be informed by good Men, unto whom he may give credit, that they are notorious Malefactors, or Maintainers of Malefactors, order shall be given forthwith, by Writs to the Sheriffs of the parts where the said Malefactors and Maintainers are conversant, or may be found, or to others whom our Lord the King shall appoint, to take them, as well within Franchises as without, and to imprison and safely keep them. And for this there shall be assigned in every country good Men and true, and having authority, to inquire, hear, and determine upon the doings of the said Malefactors and Maintainers, according to the law of the land; and then to inquire of others, and to hear and determine; and moreover they shall have power to take, and to order to be taken, all those who are notoriously defamed for such misdeeds, as well within Franchises as without, and to imprison them, and nevertheless to inquire and hear and determine upon their doings; and this course shall hold, without being changed, until the next Parliament; within which time there may be trial had of the good and quiet that shall happen through the good keeping of the peace by this accord.

For securing and punishing Malefactors till the ensuing Parliament.

ALSO It is accorded, that the Statutes heretofore made containing that Sheriffs, Hundreders, and Bailiffs should be persons having lands in the same Counties or Bailiwicks, and also that the Hundreds and Wapentakes let to farm, which formerly were annexed to the Farms of Counties, and separated from the Sheriffwicks, should be rejoined to the Counties, shall be kept in all points.

Statutes concerning Sheriffs, and Hundreds.

AND It is also accorded, that the Gaols which are appendant to the Sheriffwicks, shall be kept as they were formerly wont to be in the times of our Lord the King's Ancestors; and if the keeping of the said Gaols be given to others, they shall be taken back by writs, and delivered to those who ought of right to have them.

Gaols.

Writs of Niefty.

ALSO It is accorded, that no Writ of Niefty from henceforth shall be granted in Chancery, unless it be at the suit of those in whose names the Writs shall be purchased, or that the Chancellor or Clerks of the Chancery be informed that the said Writs are demanded by the Will of those for whom the Writs shall so be made out.

Return of Money levied for Archers &c.

ALSO Whereas certain persons of England lately assigned to array Hobbelers and Archers to a certain number, for the War in Scotland, have levied divers Sums of Money for Arms and Horse, and likewise the Expences and other Costs of the said Hobbelers and Archers, of which Money so levied, great part doth yet remain in the hands of the said Arrayers, as it is shewn by the said Knights and Commons by the said petition; It is accorded, that all the Money so levied, which yet is in the hands of the Arrayers, shall be restored to those from whom it was so levied.

And It is to be Remembered, that in the aforesaid Parliament it was agreed that the Articles aforesaid should not be holden for a Statute.

THE King to the Sheriff of York, and to his Coroners in the same County, greeting. Certain Statutes, for the conservation of our Peace and the ease and quiet of the People of our Realm, in our Parliament summoned at Westminster, on the Monday next after the Sunday in Mid-Lent last past, by the assent of the Prelates, Earls, Barons, and all the Commonalty of our Realm there being, set forth, We do send to you in form of Letters Patent, sealed with our seal: As also a certain Article by Us and our Council, in our Parliament summoned at the aforesaid place on the morrow of St. Michael, in the fifth year of our Reign, made, concerning the Purveyances to be made in certain form for our Household, and the Households of our Consort and our Children, by the Purveyors thereof, inclosed within these presents; Commanding you the aforesaid Sheriff that as well the Statutes aforesaid as the said Article, in your full County Court, and in all places within your Bailiwick, as well within Liberties as without, where you shall see meet, you do cause to be read and publicly proclaimed, and so much as to you belongeth, to be stedfastly observed. We do also command, as well you the aforesaid Sheriff as you the aforesaid Coroners, that the Mainprises whereof mention is made in these Statutes, after the form therein contained, you do receive, and the same do send to us in our Chancery, according to the tenor of the same Statutes. And this in no wise omit. Witness the King at Eltham, the first day of April. By the King himself.

In the same manner it was commanded to every Sheriff throughout England. By the King himself.

Ităm est acorde q̃ nul brief de neifte desore soit gʳnte en Chauncellerie, sil ne soit a la seute de ceux en qi nouns les briefs ꝺront pʳchacez, ou q̃ le Chauncelleꝛ ou les Clercs de la Chauncellerie soient apris q̃ les ditz briefs soient demaundez de la volunte de meismes ceux pʳ queux les briefs ꝺront issint affaire.

Ităm come ascunes gentz Dengleꝺre, nadgairs assignez pʳ arraier hobelours & archers a ꝺtein noumbre pʳ la guerre d'Escoce, eient levez diꝺses sum̃es des deners pʳ armures, chivaux, & auxint despenses & autres custages des ditz hobelours & archers, des queux deñs issint levez gʳnde ꝑtie uncore demoert es meyns des ditz arraiours, come monstre est ꝑ les ditz chivalers & gentz de cõe ꝑ la dite peticion, si est acorde q̃ touz les deners issint levez, q̃ uncore sont es meyns des arraiours, soient restituz a ceux des queux ils furunt issint levez.

Et memorand qđ in ꝑliamento ꝑdčo concordatū fuit qđ articuli ꝑdči non tenerentʳ ꝑ Statuto.

Ꝝ Vič Eboꝛ & Coronatoribꝫ suis in eodem com̃ saltm. Quedam statuta, ꝑ conservacõe pacis nr̃e & quiete et tʳnquillitate ppli regni nr̃i, in ꝑliamento nr̃o apud Westm̃, die Lune ꝑx̃ post diem dñicam in medio quadragesime ꝑx̃ ꝑ̃cita convocato, de assensu Prelatoꝝ, Comitū, Baronū & tocius cõitatis regni nr̃i ibidem existenciū edita, vob̃ mittimꝰ in forma patenti, sigillo nr̃o consignata; necnon quendam articulū, ꝑ nos & consiliū nr̃m in ꝑliamento nr̃o apud locum ꝑdčm, in *crastino* Sči Michꝫis, anno regni nr̃i quinto sum̃onito, sup ꝑvidenciis ꝑ hospicio nr̃o, & hospiciis consortis nr̃e ac liꝺoꝝ nr̃oꝝ, ꝑ ꝑvisores eoꝝdem sub ꝺta forma faciend, fčm, ꝑsentibꝫ inꝺclusū: Mandantes tibi ꝑfato vič qđ tam statuta ꝑdča, qʳm dčm articulū, in pleno Com̃ tuo, ac in singulis locis in ballia tua tam infra liꝺtates qʳm extª ubi expedire videris, legi & publice ꝑclamari, ac quantū ad te ꝑtinet firmiꝰ fač observari. Precipimꝰ eciam tam tibi ꝑdčo Vič qʳm vob̃ ꝑfaꝛ Coronatores, qđ manucapčões de quibꝫ fit mencio in statutis illis, sub forma in eis contenta recipiatis, & eas nob̃ in Canč nra mittatis, juxta tenorem statutoꝝ eoꝝdem. Et hoc nullatenus omittatis. T. R. apud Eltham pʳmo die Aprił. ꝑ iꝑm Regem.

Eodem modo mandatū est singulis Vicecomitibꝫ ꝑ Angł. ꝑ iꝑm Regem.

Statute the Third.

WHEREAS heretofore, through the excessive and overmany sorts of costly Meats which the People of this Realm have used, more than elsewhere, many mischiefs have happened to the People of the said Realm: For the great men, by these excesses, have been sore grieved, and the lesser People, who only endeavour to imitate the great ones in such sort of Meats, are much impoverished; whereby they are not able to aid themselves nor their liege Lord in time of need, as they ought; and many other evils have happened, as well to Souls as Bodies; and the matters and grievances aforesaid being proposed and shewn before our Lord the King, in his great Council, holden at Nottingham the Monday next after the Feast of St. Matthew the Apostle, in the tenth year of his Reign, supplication was made by the Prelates, Earls, Barons, and the Commonalties of his

Ex magno Rot. Stat. in Turr. Lond. m. 24, d.

PUR ce q̃ avant ces heures ꝑ outraiouses & troꝑ des manes des coustouses viaundes, q̃ les gentz du Roialme unt use plus q̃ nul ꝑt aillo's, moultz des meschiefs sont avenuz as gentz du dit roialme; car les gʳntꝫ ꝑ tieles outrages unt estez molt grevez, & les menus gentz, qe safforcent solement de contrefaire les gʳntz en tiel manꝺe des viaundes, sont moult empoꝺes, dont ils nont poer daider a eux meismes ne a lour Seignr leige au temps de busoigne, sicome ils deivent: & autres assez des malz sont avenuz, auxibien as almes come as corps; & lez susdites choses & grevances pʳposes & monstres devant nr̃e Seignor le Roi, en son gʳnd conseil tenuz a Notingham, la lundy ꝑschein apres la feste de Seint Matheu lapostle, lan de son regne disme, suppliez feust par les Prelats, Countes, Barons, & les Cõmunaltez de son roialme illoeqes

Anno x°.

assemblez p ses mandementes qil vousist s^r ce p^r pfit de son poeple ordiner remede covenable: Nře dit Seign^r le Roi, desirantz cōmune pfit auxibien des g^antz come de cōen poeple de son roialme, & conciderantz les mals, grevances, & mischiefs avantditz, p cōmune assent des Prelats, Countes, Barouns, & autres Nobles du son roialm, & des Cōmunes du meisme le roialme qe illoeqez estoient, al hon^r de Dieu, & lamendement de lestat de la cōe de son roialme, ad ordine et establi q̄ nul, de quel estat ou condicion qil soit, se face ꝟvir en son hostiel, ne nulle parte aillors, a disner, manger, ne sopere, ne nul autre temps, forsq de deux cours, & chesun messe de deux manes des viaundes a plus, soient ils des chars ou de pesson, ove cōes potages saunz sawes ou nule autre mane dez viaundez: et si hōme voet avoir sawes p^r messe les eit, siq̄ ils ne soient pas faitz des g^antz coustz, & si chares ou pesson y deivent estre mis, ne soit mis, forsq̄ de deux manes ou des chares ou de pesson au plus, & estoise en lieu de messe; forsprise les plus g^antes Festes del an, Cestassav̄ la veille & le jour de Noel, & le jour de Seint Estevene, le jour del an renoef, les jours de la Typhayne, & de la Purificacion nře Dame, la veille & le jour de Pasq̄, & lendemayn del dit jour de Pasq̄, le jour del Assension, le jour de la Pentecost & lendemayn, le jour de la Trinite, le jour de la Nativite de Seint Johan, le jour de Seintez Piere & de Seint Paule, les jours del Assumpcion & la Nativite nře Dame, & le jour de Touz Seintz; queux festes & jours chescun se puisse ꝟvir de trois Cours a plus en la mane avantdit. Et voet nře Seign^r le Roi & cōmaunde, p assent avantdit, q̄ cestes ordinance & estatut cōmencent de tenir p tout le roialme le Lundy p̄schein ap̄s la feste de Touz Seintes p̄schein avenir, & soient criez en chescun Counte, & q̄ chescun, de quel estat qil soit, saunz nul forsprendre, les avantditz ordinaunces & estatutz garde & tiegne en la fourme & mane susdites, saunz ajoustre ou fraude faire a ycele p covitise, cautele, art ou engyn, ou p interp̄tacion des paroles, ou queconq̄ autre colour quere, s^r la foi & ligeance qils deivent a nře dit Seign^r le Roi & a ses heirs Rois Dengleterre, & sicome ils eiment le hon^r de Dieu, & aussint le hon^r & pfit du Roi & pfit du Roialme avantdit, & s^r le peril q̄ appent si nul soit trove fesant le contrair de chose qest faite p si cōmun assent de touz, & p^r si g^ant pfit du Roialme.

R. Vic̄ Eboz̄ salt̄m. Quedam ordinac̄oem & statutū p Nos in magno consilio nr̄o apud Notingham, die Lune p̄x̄ post festum Sc̄i Matħ Apli p̄x̄ p̄tit̄ convocato, de assensu Prelatoz̄, Comitū, Baronū & tocius cōitatis regni nr̄i ibidem existenciū, ad cōem utilitatē tam Prelatoz̄ & Magnatū q^am populi ejusdem regni edita, tibi mittimus sigillo nostro consignata; Mandantes qd ordinac̄oem & statutū illa in pleno Com̄ tuo & in Civitatibz̄, Burgis, Villis m̄catoriis & aliis locis in ballia tua ubi expedire videris; tam infra libtates q^am extra, legi & publice pclamari, & q^antum in te est firmit̄ observari, fac̄. T. R. apud Aukland xv die Octobr̄.

p ip̄m Regem.

Eodē modo mandatū est singul Vic̄ p Angl.

Memorand qd istud statutū in forma patenti, ac consimilia br̄ia, mutatis mutandis, dirigunt^r singulis Archiep̄is, Ep̄is, ac Comitibz̄ & Nobilibz̄ dci regni;

Realm there assembled upon his Summons, that he would thereupon ordain a covenable Remedy for the Profit of his People: Our said Lord the King, desiring the common Profit as well of the great men as of the common people of his Realm, and considering the evils, grievances, and mischiefs aforesaid, by the common assent of the Prelates, Earls, Barons, and other Nobles of his said Realm, and of the Commons of the same Realm there being, to the honour of God, and amendment of the public estate of his Realm, Hath ordained and established, that no man, of what estate or condition soever he be, shall cause himself to be served in his house or elsewhere, at dinner, meal, or supper, or at any other time, with more than two courses, and each mess of two sorts of victuals at the utmost, be it of Flesh or Fish, with the common sorts of pottage, without sawce or any other sort of victuals: and if any man choose to have sawce for his mess, he well may, provided it be not made at great cost: and if flesh or fish be to be mixed therein, it shall be of two sorts only at the utmost, either fish or flesh, and shall stand instead of a mess; Except on the principal Feasts of the year, that is to say, the Eve and the Day of Christmas, St. Stephen's Day, New Year's Day, the Days of the Epiphany and of the Purification of our Lady, the Eve and the Day of Easter and the morrow of the same Easter Day, Ascension Day, Whitsunday and the morrow, the Day of the Trinity, the Day of the Nativity of St. John, the Day of St. Peter and St. Paul, the Days of the Assumption and Nativity of our Lady, and the Day of All Saints; on which Days and Feasts every man may be served with three courses at the utmost, after the manner aforesaid. And our Lord the King doth will and command, by the assent aforesaid, that this Ordinance and Statute shall begin to be holden through all the Realm on the Monday next after the Feast of All Saints next ensuing; and be proclaimed in every County; and every man, of what estate soever he be, without any exception, shall keep and observe the aforesaid Ordinances and Statutes, in the form and manner aforesaid; without addition or fraud, by covin, evasion, art, or contrivance, or by interpretation of words, or any other colour seeking; upon the faith and allegiance that they owe to our said Lord the King, and his Heirs, Kings of England, and as they regard the honour of God, and likewise the honour and profit of the King, and the profit of the Realm aforesaid, and upon the peril that belongeth, if any be found doing the contrary of a matter that is done by such common assent of all, and for so great profit of the Realm.

None shall be served at any Meal with more than two Courses; except at certain Festivals.

All shall observe this Ordinance.

THE King to the Sheriff of York greeting. A certain Ordinance and Statute, by Us, in our great Council summoned at Nottingham, on the Monday next after the Feast of St. Matthew the Apostle last past, with the assent of the Prelates, Earls, Barons, and the whole Commonalty of our Realm there being, for the common weal as well of the Prelates and great Men, as of the People of the same Realm, set forth, We do send to you, under our Seal; Commanding that the said Ordinance and Statute, in your full County Court, and in the Cities, Boroughs, Market Towns, and other places in your Bailiwick where you shall see meet, as well within Liberties as without, you do cause to be read and publicly proclaimed, and as far as in you lieth stedfastly to be observed. Witness the King at Aukland, the fifteenth day of October. By the King himself.

In the same manner it was commanded to the several Sheriffs throughout England.

Be it Remembered, that this Statute, in form of Letters Patent, and the like Writs, changing what ought to be changed, are directed to the several Archbishops and Bishops, and to the Earls and Nobles of the said Realm, charging

them by the faith and allegiance which they owe to the King, and under the peril which awaits, that the Ordinance and Statute aforesaid, according to the form and effect thereof, they do cause on their behalves to be observed; nor aught attempt, nor in anywise presume to attempt against the same; Namely,

To the Deans and Chapters of the Churches of
- St. Peter, York;
- St. Mary, Lincoln;
- St. Paul, London;
- The Holy Trinity, Chichester;
- St. Peter, Exeter;
- St. Mary, Salisbury;
- St. Andrew, Wells;
- St. Chad, Litchfield;
- St. Ethelbert, Hereford.

To the Earls of
- Chester;
- Lancaster;
- Warrenn;
- Norfolk and Marshall of England;
- Arundel;
- Devonshire;
- Hereford.

Also in the same manner it was commanded to the Mayors and Bailiffs of the Cities and Towns underwritten, namely; York.

mandantes qđ in fide & legiancia quibꝫ ꝑ sunt astricti, & sub ꝑiculo quod incumbit, ordinacõem & statutũ ꝑdča, juxta formam & effčm eoꝝdem, penes se observari fač, nec quicq*m cont* ea attemptent, seu attemptare ꝑsumant quovis modo; videlt.

Decanis & Capitulis ecclĩaꝝ
- Bĩ Petri Eboꝝ.
- Bẽ Marie Lincolñ.
- Sči Pauli Londoñ.
- Sče Trinitatis Cicestr̃.
- Sči Petri Exoñ.
- Bẽ Marie de Nova Saꝝ.
- Sči Andree Welleñ.
- Sči Cedde Licĥ.
- Sči Ethelberti Hereford.

Comitibꝫ
- Cestr̃.
- Lancastr̃.
- De Warenna.
- Com̃ Norf & Maresč Angl.
- Arundell.
- Devoñ.
- Hereford.

Item eodem modo mandatum est Majoribꝫ & Ballis Civitatum & Villaꝝ subscriptaꝝ videlt.
Eboꝝ.

Anno 11° EDWARDI, III. A.D. 1336-7.

Ex magno Rot. Stat. in Turr. Lond. m. 24 d.

Anno xj°.

I. Exportation of Wools prohibited.

IT is Accorded by our Sovereign Lord the King, his Prelates, Earls, and Barons, with the Assent of the Commons in the Parliament summoned at Westminster, the Monday next after the Feast of Saint [Matthew [1]] the Apostle, in the xi Year of the Reign of our Sovereign Lord the King, That no Merchant, foreign or denizen, nor none other of what Estate or Condition that he be, upon Pain of Forfeiture of Life and of Member, and of as much as he may forfeit towards our Sovereign Lord the King, shall [bring or cause to be brought,[2]] by himself nor by other, privily nor apertly from henceforth any Wools (3) out of the Realm, till by the King and his Council it be thereof otherwise provided.

II. The Use of Foreign Cloth prohibited.

ITEM, It is accorded, That no Man nor Woman great nor small of England, Ireland, nor Wales, nor of our Sovereign Lord the King's Power in Scotland, of what Estate or Condition he be, the King, Queen, and their Children only except, shall wear no Cloth, which shall be bought after the Feast of Saint Michael next coming, other than is made in England, Ireland, Wales, or Scotland, within the King's Power, upon Pain of Forfeiture of the same Cloth, and further to be punished at the King's Will; and that in the said Lands of England, Ireland, Wales, and Scotland, within the King's Power, a Man may make the Cloths as long and as short as a Man will.

III. Importation of Foreign Cloth prohibited.

ITEM, It is accorded and established, That no Merchant, foreign nor denizen, nor none other, after the said Feast of Saint Michael, shall bring or cause to be brought privily nor apertly, by himself nor by other, into the said Lands of England, Ireland, Wales, and Scotland, within the King's Power, any Cloths made in any other Places than in the same, upon the Forfeiture of the said Cloths, and further to be punished at the King's Will (4).

IV. Who only may wear Furs.

ITEM, It is accorded, That no Man nor Woman of the said Lands of England, Ireland, Wales, or Scotland within the King's Power, of what Estate or Condition

1 *Matthias*
2 carry, or cause to be carried,
3 to any place
4 as it is above said *MS. Tr.* 2.

ACORDE est ꝑ nr̃e Seign^r le Roi, [Prelatz,[1]] Countes, Barons, del assent des gentz de cõe en ꝑlement somons a Westmonsť le Lundi ꝓchein aꝑs la feste de Seint Mathy lapostle, lan du regne nr̃e Seign^r le Roi unzisme, q̃ nul marchant forein ne denzein nautre de quel estat ou condition qil soit, s^r peine de forfait^re de vie & de membre & des q^ntq, il p^ra forfaire devꝝs nr̃e Seign^r le Roi, ne mesne ne face mesner par lui ne par autre, en prive nen apert, desore, leines nule part hors du Roialme, taunq, ꝑ nr̃e Seign^r le Roi et son conseil ent autrement soit ordeine.

Est auxint acorde q̃ nul hõme ne feme g^ant ne petit Dengletre, Irlaunde, Gales, ne du poair nr̃e Seign^r le Roi en Escoce, de quel estat ou condicion qil soit, Roy Royne & lor enfantz tantsoulement forsp^s, ne use drap̃ q̃ ꝑra achate aꝑs la feste de Seint Michel ꝓchein avenir, autre q̃ ne soit fait en Engletre, Irlaunde, Gales, ou Escoce, deinz le poer nr̃e Seign^r le Roi, s^r la forfait^re du dit drap̃, & outre destre puny a la volunte nr̃e Seign^r le Roi; et q̃ es dites ꝑres Dengletre, Irlaunde, Gales, & Escoce, deinz le poer nr̃e Seign^r le Roi, hõme peusse faire les draps auxi longs & auxi courtz come hõme voudra.

Auxint est acorde q̃ nul marchant, forein ne denzein ne autre, aꝑs la feste de Seint Michel mesne ne face mesner, en prive nen apert par lui ne ꝑ autre, es dites ꝑres Dengletre, Irlaund, Gales, ou Escoce, deinz le poair nr̃e Seign^r le Roi, draps aillors faitz q̃ en yceles, s^r la forfait^re des ditz draps, & outre destre puny a la volunte nr̃e Seign^r le Roi come desus est dit.

Et auxint est acorde q̃ nul hõme ne feme des dites ꝑres Dengletre, Irlaund, Gales, & Escoce deinz le poair nr̃e Seign^r le Roi, de quel estat ou condicion

1 Interlined on the Roll.

qil soit, Rois Roynes & lor enfantz, Prelatz, Countes, Barons, Chivalers, dames, & gentz de seinte Eglise, qi poent despendre p an cent livres au meins a la vroie value de lor benefices, tantsoulement forpris, ne use peleure en ses draps q̃ ꝑra achate aps la dite feste de Seint Michel, s' la forfaite du dite pelure, & outre destre puny a la volunte nr̃e Seign' le Roi.

Et auxint est acorde q̃ touz les oevrours des draps destraunges tres, de queles tres qils soient, qi voudrent venir en Engletre, Irlaunde, Gales, & Escoce deinz le poair nr̃e Seign' le Roi, viegnont salvement & seurement, en la pteccion & sauf conduyt de nr̃e Seign' le Roi, a demorer en icelles tres es lieux ou ils vodront; et q̃ les ditz oevrours eient plus g'nt volunte de y venir & demorer, nr̃e Seign' le Roi lor voet g'nter f'nchises tantes & tieles q̃ les suffiront.

P vic̃ Ebor, saltm. Quendam articulū p nos de assensu Prelator, Comitū, Baronū, ac tocius cōitatis regni nr̃i, in pliamento nr̃o apud Westm̃ die Lune px̃ post festū Sc̃i Matħi apli px̃ ꝓxim tento existenciū, sup lanis ext' regnū nr̃m ducend, & pannis ac pelura, in regno nr̃o Angł, & tris nr̃is Hibn̄ & Wall, ac infra dominiū nr̃m in tra Scotie, post festū Sc̃i Michis px̃ futur utend, sub cta forma, nec non de modo fc̃ure pannor in eisdem regno & tris, ac eciam de pannis t'nsmarinis, infra regnū tras & dn̄ium nr̃m sup'dc̃a post idem festum quoquo modo non ducend, ordinatū, tibi mittim⁹ in forma patenti, sigillo nr̃o consignatū; mandantes qd articulū ꝓdc̃m in pleno Com̃ tuo ac in singulis locis in ballia tua, tam infra libtates quam ex' ubi expedire videris, legi & ex pte nr̃a publice pclamari, & q'ntum ad te ptinet firmit fac̃ observari. Et hoc nullaten⁹ omittas. T.R. apud Wyndesor xxviii die Marcii. p ipm Regem.

Eodem modo mand est singlis vic̃ p Angł.

that he be, the King, Queen, and their Children, the Prelates, Earls, Barons, Knights, and Ladies, and People of Holy Church, which may expend by Year an C li. of their Benefices at the least, to the very Value, only except, shall wear no Fur in his Clothes, that shall be bought after the said Feast of Saint Michael, upon the Forfeiture of the said Fur, and further to be punished at the King's Will.

V. Foreign Clothworkers may come into the King's Dominions.

ITEM, It is accorded, That all the Cloth-workers of strange Lands, of whatsoever Country they be, which will come into England, Ireland, Wales, and Scotland, within the King's Power, shall come safely and surely, and shall be in the King's Protection and safe Conduct, to dwell in the same Lands, [choosing [1]] where they will; and to the Intent the said Cloth-workers shall have the greater Will to come and dwell here, our Sovereign Lord the King will grant them Franchises, as many and such as may suffice them.

[1] *at the places*

THE King to the Sheriff of York, greeting. A certain Article, by Us, with the assent of the Prelates, Earls, Barons, and the whole Commonalty of our Realm, present in our Parliament holden at Westminster, on Monday next after the Feast of St. Matthias the Apostle last past, ordained, concerning the carrying of Wools out of our Realm, and the using of Cloths and Fur within our Realm of England, and our Lands of Ireland and Wales, and our dominion in the Land of Scotland, after the Feast of St. Michael next ensuing, after a certain form, and also concerning the method of making Cloths in the same Realm and Lands, and also concerning the not bringing Cloths of foreign Parts into our aforesaid Realm, Lands, and Dominion, in anywise after the said Feast; We do send to you, in form of Letters Patent, under our seal; Commanding that the Article aforesaid, in your full County Court, and in all places in your Bailiwick, as well within Liberties as without, where you shall see meet, you do cause to be read, and on our behalf publicly to be proclaimed, and so much as to you belongeth, to be firmly observed; and this in no wise omit. Witness the King at Windsor, the twenty-eighth day of March.

By the King himself.

In the same manner it was commanded to the several Sheriffs throughout England.

Anno 14° EDWARDI, III. A.D.1340.

Ex magno Rot. Stat. in Turr. Lond. m. 23, 22.

AL hon' de Dieu & de seinte eglise, p assent des Prelatz, Contes, Barons, & aut's assemblez au plement tenuz au Weymonstier le Meskerdy ꝓcheine apres my quarresme, lan du regne nr̃e Seign' le Roi Edward Dengletre quatorzisme, & de France p'mer, si ad le Roi p' eese & quiete de son poeple, ausibien des g'ntz come des petitz, g'nte & establi les choses desoutz escriptes, les queux il voet q̃ soient tenuz & gardez en toutez poyntz ppetuelment adurer.

Primerement q̃ Seinte eglise eit ses franchises en quiete, saunz empechement ou destourbance; & q̃ la g'nde Chartre & la Chartre de la Foreste soient tenuz en touz pointz; et q̃ la Citee de Londr̃s, & touz les aut's Citeez & Burghs du Roialme Dengletre eient toutes lo' franchises & usages, queles ils ont resonablement eu & usez cea en arere.

Item p' ceo q̃ le Roi ad g'nt compassion de ce q̃ le poeple de son roialme p cause de maveis anes de guerres Descoce, de France, & de Gascoigne, & des g'ntz mises & eidez quils ont fait a lui en divse mane, p les causes susdites & aut's, & voillant a son dit

Statute the First.

TO The Honour of God and of Holy Church, by the Assent of the Prelates, Earls, Barons, and other, assembled at the Parliament holden at Westminster the Wednesday next after Mid-Lent, in the Fourteenth Year of the Reign of our Lord King Edward the Third of England, and the First Year of his Reign of France; the King, for the Peace and Quietness of his People, as well great as small, doth grant and establish the Things underwritten, which he will to be holden and kept in all Points perpetually to endure.

I. Confirmation of Liberties.

FIRST, That Holy Church have her Liberties in Quietness, without Interruption or Disturbance; and that the Great Charter and the Charter of the Forest, be holden in all Points; and that the City of London, and all other Cities and Boroughs of the Realm of England, have all their Franchises and Customs, which they have reasonably had and used in Time past.

II. The King's Pardon of Chattels of Felons, of Fines, &c.

ITEM, Inasmuch as the King hath great Compassion of that, that the People of his Realm, by the cause of evil times of War, of Scotland, France, and of Gascoigne, and of the great Costs and Aids that they have done to him in sundry wise, for the Causes aforesaid, and other,

and willing to his People to do Grace, whereby they may the better aid him, and the rather to be relieved and comforted of their Grievance; at the request of his People of England, hath released and pardoned to his People, as well to the great as small, of what estate or condition that they be, all manner of Chattels of Felons and Fugitives, Escapes of Thieves, Fines, and Amerciaments, Issues, Forfeit, Amerciaments of Murders, all manner of Trespasses of the Forest, as well of sowing their Ground, as of Vert and Venison, Waste, and every other Trespass done within the Forest, judged or to be judged, Reliefs and Escuages, till the Time that the King that now is [shall pass [1]] towards Brabant. [And also aid to make our Son Knight, and to marry our Daughter for all our time.[2]]

III. Pardon of divers Debts, &c. due to the King.

ITEM, It is assented, accorded, and stablished, that all manner of Debts, Accompts, and Arrerages of Ferms, and Accompts, in any manner due to the King, as well of the time of his Progenitors as of his own time, till the beginning of the x. year of his Reign of England, be pardoned and released, to all, great and small of the Realm of England, and to every of them, and wholly extinct. And that the Debts [to be determined [1]] at the Exchequer before the time of King Edward that now is, and also the Debts [to be determined [3]] at the same Exchequer, in his time, of the old Debts due before his time, be extinct, pardoned, and released for ever; so always that the Determinations made of the Debts due to the King, and rising of his own time, shall stand in their force. And that the Sheriffs, Eschetors, Fermours of the Manors, Taxers, Customers, Vitailers, and other Receivers of the King's Goods or Money, in time of the King that now is, which yet be in Life, shall Answer of the Goods and of the Money, which they have levied and received to the King's Use, without that that they shall be in other Manner charged, but only of that that they have received; but the Heirs, Executors, and Land Tenants of such Ministers and Receivers which be dead, shall be quitely discharged of all Manner of Accompts and Debts that the King can demand, by occasion of the Levyings and Receipts aforesaid, till the beginning of the said x. year. And it is the King's Mind, that such as do owe him Debts of any Loan, and will accompt with the King, that the same Sum of Loan shall be allowed to the King in their Accompt, and charged upon them, as a thing received by the King's Hand, notwithstanding this Ordinance.

IV. Engleschrie and Presentments thereof abolished.

ITEM, Because many Mischiefs have happened in divers Counties of England, which had no Knowledge of Presentment of Engleschrie, whereby the Commons of the Counties were often amerced before the Justices in Eyre, to the great Mischief of the People; It is assented, That from henceforth no Justice Errant shall put in any Article, (4) Opposition, Presentment of Engleschrie against the Commons of the Counties, nor against any of them; but that Engleschrie and Presentment of the same, be wholly out and void for ever, so that no Per on by this Cause may be from henceforth impeached.

V. Commissioners appointed to redress Delays &c. of Courts of Justice.

ITEM, Because divers Mischiefs have happened, for that in divers Places, as well in the Chancery, as in the King's Bench, the Common Bench, and in the Exchequer, before the Justices assigned, and other Justices to hear and determine deputed, the Judgements have been delayed, sometime by Difficulty, and sometime by divers Opinions of the Judges, and sometime for some other Cause; It is assented, established, and accorded, That from henceforth at every Parliament shall be chosen a Prelate, two Earls, and two Barons, which shall have Commission and Power of the King to hear by Petition delivered to them, the Complaints of all those that will complain them of such Delays or Grievances done to them; and they shall have Power to cause to come before them at Westminster, or [else [5]] where the Places [of [6]] any of them shall be, the tenor of Records and Processes of such Judgements so delayed, and to cause the same Justices to come before them, which shall be

[1] passed into *MS. Tr.* 2.
[2] Not in Original, nor in *MS. Tr.* 2. } See Stat. 14 Ed. 3. Stat. 2. c. 3.
[3] attermyned *MS. Tr.* 2.
[4] or
[5] elsewhere
[6] or

poeple faire g^ce, p quoi ils se peussent le meutz aider & le plus tost de lor meschiefs estre relevez & recomfortez; a la requeste de son poeple Dengleᵹre si ad relesse & pdone a son dit poeple, ausibien as g^ntz come as petitz, de quel estat ou condition qil soient, toutes maneres des chateux des felons, & des futifs, eschaps des larons, fins, amciementz, issues, forfaitz & amcimentz des m^dres, toutes mans de trespas de la foreste, ausibien de emblau^re come de ᵹt & de venison, wast & quecunqes autrs trespas faites dedeinz les forestes, ajuggez ou ajugger, reliefs & escuages, tanq, a temps q̃ le Roi qore est passa devs Brabant.

Item est assentu acorde & establi q̃ totes maneres des dettes, acomptes, & arerages des fermes & dacomptes, dues au Roi en q̃cunqe mane, aussibien des temps de ses pgenitours come de son temps demesne, tanq, au comencement de lan de son regne Dengleᵹre disme, soient pdonez & relessez a toutz, g^ntz & petitz, du Roialme Dengleᵹre & a chescun de eux, & de tut anientitz. Et q̃ les dettes atminez a Lescheqer avant le temps le Roi qore est, & auxi les dettes atterminez a mesme Lescheqer en son temps, des aunciens dettes dues avant son temps, soient anientiz & pdonez & relessez p^r touz jours; ensi totes foith q̃ les atterminementz faitz des dettes dues au Roi, & sourdantz de son temps demesne, estoisent en lor force. Et q̃ les viscontes, Eschet^rs, ferms des manoirs, Taxours, Custums, vittaillers, & autrs Receyvours des biens ou des deniers le Roi, en temps le Roi qore est, q̃ unqore sont en vie, respoignent des biens & deniers queux ils ont levez & receuz al oeps le Roi, sans ceo qils soient en autre mane chargez, fors soulment de ceo qils ont receu; mais les heirs, Execut^rs & ᵹres tenantz, des tieux mane des Ministres & Receyvo^rs q̃ sont mortz, soient quitement dischargez de tote mane des acountes & des dettes, les queux le Roi poet demander p cause des levees & rescettes avant dites, tanq, au comencement de lan disme susdit. Et est lentencion le Roi q̃ ceux q̃ lui deivent dettes de ᵹst, & voillent acounter ove le Roi, q̃ mesme la sõme de ᵹst soit allowe au Roi en lor acounte, & s' eux charge, come chose receu p la main le Roi, nient countreesteant cest establissement.

Item p^r ce q̃ moultz des meschefs sont avenuz en divs pays Dengleᵹre, qils navoient mye conisance de ᵹsentement denglescherie, p quoi les cões des Countees estoient sovent devant les Justices errantz amciez, a g^nt meschief du poeple; si est assentuz q̃ desore en avant nul Justice errant ne mette en article, nen opposicion, ᵹsentement denglescherie, devs les cões des Countees ne devs nul de eux; mes de tut soit lenglescherie & le ᵹsentement dycel p^r touz jours ouste, si q̃ nul p celle cause soit desore empeche.

Item p^r ce q̃ moultz des meschiefs sont avenuz de ceo, q̃ en divses places, aussibien en la Chauncellie, en le Bank le Roi, le cõe Bank, & Lescheqer, les Justices assignez & autrs Justices a oyer & ᵹminer deputez, les jugementz si ount este delaiez, ala foitz p difficulte & ascune foitz p divs oppinions des Jugges, & a la foitz p autre cause; si est assentuz, establiz, & acordez, q̃ desore en avant a chescun plement soient esluz un ᵹlat, deux Contees, & deux Barons, q̃ eient cõmission & poair du Roi, doier, p peticion a eux livee, les pleintes de touz ceux q̃ pleindre se vorront de tieux delaies, ou grevances faites a eux; & eient poair a faire venir devant eux a Westm̃, ou aillo^rs, ou les places ᵹront, ou ascun des places ᵹra, les tenours des recordz & pces de tieux jugementz ensi delaiez, & facent venir devant eux meismes les Justices q̃ ᵹront

adonqs psentz, pr oyer lor cause & lor resons des tieux delaiez; queux cause & reson ensi oiez, p bon avis de eux meismes, des Chancellier, Tres, Justices del un Bank & del autre, & autres de counseil le Roi, taunz & tieux come ils vront q busoignable ront, aillent avant apndre bon accord, & bon juggement faire; et selonc meisme laccord ensi pris, soit remande as Justices devant queux le plee pent, la tenur du dit record, ensemblement ove tieu juggement q ra acorde, & q eux aillent hastivement a juggement rendre selonc meisme lacord: Et en cas q lour semble q la difficulte soit si gnde, qele ne poet pas bonement estre mine sanz assent du plement, soit la dit tenour ou tenours portez, p les ditz Prelat, Contes, & Barons, a pschein plement, & illoeqs soit pris final acord, queu juggement se deva faire en tieu cas; & solonc cel acord soit mande as Justices devant quieux le plee pent, qils aillent a juggement rendre sanz delay. Et pr comencier a faire remedie st cest establissement, si est assentuz q cōmission & poair soit fait a Lercevesq de Cantbirs, les Contes dArundell & de Huntend, le Seignr Wake, & Monsr Rauf Basset, adurer tanq au pchein plement. Et coment q les ministres eient fait sement avant ces hures, ne pr qnt pr eux rementiner de mesme le sement, si est assentuz q aussibien Chancellier, Tresorer, Gardein du pvee Seal, Justices del un Bank & del autre, Chancellier & Barons del Escheqer, come Justices assignez, & touz ceux q se medlent es dites places desoutz eux, selonc lavisement des ditz Erceveseq, Contes, & Barons, facent sment de bien & loialment svir au Roi & au poeple; & p avisement des avantditz Prelat, Contes, & Barons, soit ordene dencrestre le nombre des ministres, p la ou il ia busoigne, & de le amenuser en mesme la mane; et issint de temps en temps, qnt officers ront novelement mys en les ditz offices, soient en la mane avantdite sementez.

Item est assentuz & establi, q p mesprision du clerc, en quecunq place q ce soit, ne ne soit pces anientiz, ne discontinue, p mespndre en escrivant un tre ou un silable trop, ou trop poi; mes si tot q la chose soit apceu, p chalenge du ptie ou en autre mane, soit hastivement amende en due forme, sanz doner avantage au ptie q ce chalange p cause de tieu mesprision.

Item pr ce q ascuns viscontes ont lor baillies a me des ans, du gnt le Roi, & ascuns se fient tant de lor long demoere en lor baillie p pcurement, qils sont esbaudiz de faire moultz des oppssions au poeple, & de mal svir au Roi & a son poeple; si est assentuz & establi, q nul viscount demoerge en sa baillie outre un an, & adonqes soit autre covenable ordene en son lieu, qad re suffisante en sa baillie, p les Chauncellier, Tresorer, & chief Baron de Lescheqer, pris a eux les chiefs Justices del un Bank & del autre, sils soient presentz; & ce soit fait chescun an lendemein des Almes a Lescheqer.

Et come en ascuns temps avant ces heures il navoit forsq deux Eschetours en Englere, cest assavoir un Eschetour de cea Trente, & un autre de dela, pr quoi le Roi et le poeple furent meins bien serviz q avant ces houres nestoient, qnt il y aveit plus des Eschetours & de meindre estat; si est assentuz & acorde q desore en avant soient tauntz des Eschetours assignez, come estoient en le temps qnt le Roi ore est prist le govnement de son Roialme Denglere; & q mesmes les Eschetours soient esluz p les Chauncellier, Tresorer, & chief Baron de Lescheqer, pris a eux les chiefs Justices del un Bank & del autre, sils soient psentz, en mane come est susdit des viscountes; et q nul eschetour demoerge en son office outre un an; & q nul Coroner soit esluz sil neit re en fee suffisauntment, en mesme le Contee, dont il pra respondre a tote mane des gentz.

then present, to hear their Cause and Reasons of such Delays; which Cause and Reason so heard, by good Advice of themselves, the Chancellor, Treasurer, the Justices of the one Bench and of the other, and other of the King's Council, as many and such as they shall think convenient, shall proceed to take a good Accord, and make a good Judgement; and according to the same Accord so taken, the tenor of the said Record, together with the Judgement which shall be accorded, shall be remanded before the Justices, before whom the Plea did depend, and that they hastily go to give Judgement according to the same [Record']: And in case it seemeth to them that the difficulty be so great, that it may not well be determined without Assent of the Parliament, that the said tenor or tenors shall be brought by the said Prelate, Earls, and Barons, unto the next Parliament, and there shall be a final Accord taken what Judgement ought to be given in this Case; and according to this Accord it shall be commanded to the Judges, before whom the Plea did depend, that they shall proceed to give Judgement without Delay. And to begin to do Remedy upon this Ordinance, it is assented, that a Commission and a Power shall be granted to the Archbishop of Canterbury, the Earls of Arundel and Huntington, the Lord of Wake, and the Lord Ralfe Basset, to endure till the next Parliament. And though the Ministers have made an Oath before this time, yet nevertheless to remember them of the same Oath, it is assented, that as well the Chancellor, Treasurer, Keeper of the Privy Seal, the Justices of the one Bench and of the other, the Chancellor, Barons of the Exchequer, as the Justices assigned, and all they that do meddle in the said Places under them, by the Advice of the same Archbishop, Earls, and Barons, shall make an Oath well and lawfully to serve the King and his People; and by the Advice of the said Prelate, Earls, and Barons, be it ordained to increase the Number of the Ministers when need shall be, and them to diminish in the same Manner; and so from Time to Time, when Officers shall be newly put in the said Offices, they shall be sworn in the same Manner.

Adjournment shall be into Parliament in case of Difficulty.

Chancellor, Judges, &c. shall take Oaths of Office.

[1] Accord *MS. Tr.* 2.

VI. Records defective by Misprision of Clerks amendable.

ITEM, It is assented, That by the Misprision of a Clerk in any Place wheresoever it be, no Process shall be adnulled, or discontinued, by mistaking in Writing one Syllable, or one Letter too much or too little; but as soon as the Thing is perceived, by challenge of the party, or in other Manner, it shall be hastily amended in due form, without giving advantage to the party that challengeth the same because of such Misprision.

VII. Sheriffs shall be appointed annually at the Exchequer.

ITEM, Because that some Sheriffs have their Bailiwicks for Term of Years of the King's Grant, and some do so much trust to tarry in their Office by Procurement, that they be encouraged to do many Oppressions to the People, and evil Service to the King and his People; It is assented and established, That no Sheriff shall tarry in his Bailiwick over one Year, and then another convenient shall be ordained in his place, that hath Land sufficient in his Bailiwick, by the Chancellor, Treasurer, and chief Baron of the Exchequer, taking to them the chief Justices of the one Bench and of the other, if they be present; and that shall be done yearly in the Morrow of All Souls, at the Exchequer.

VIII. Escheators; their Number; Appointment; Continuance in Office; Coroners; their Sufficiency;

ITEM, Whereas sometime there were no more but two Escheators in England, that is to say, one Escheator on this side Trent, and another beyond, whereby the King and the People were worse served than in the time when there were divers Escheators, and of less Estate; It is assented and accorded, That from henceforth there shall be as many Escheators assigned, as were in the time when the King that now is did take the Governance of this Realm upon him; and that the same Escheators be chosen by the Chancellor, Treasurer, and the Chief Baron of the Exchequer, taking to them the Chief Justices of the one Bench and the other, if they be present, in Manner as is afore said of Sheriffs; and that no Escheator tarry in his Office above a Year; and that no Coroner be chosen unless he have Land in Fee sufficient in the same County, whereof he may answer to all manner of People.

IX. Hundreds & Wapentakes shall be rejoined to the respective Counties;

ITEM, Whereas many Mischiefs be happened through the Realm, for that the Sheriffs have let the Hundreds and Wapentakes to an higher Ferm than they yield to the King, and the Fermers do let the same to other at more higher and greater Sums, in such manner that by the high letting and enhansing of the Ferms, and by the [great [1]] number of Bailiffs Errants, Out-riders, and other whom the Sheriffs, Bailiffs, and Hundreders do put in, the People be in divers manners charged and grieved; It is assented and accorded, That from henceforth all the Wapentakes and Hundreds which be severed from the Counties, shall be rejoyned to the same Counties, as before this time hath been established by another Statute; and that the Sheriffs hold the same in their own Hands, and put in such Bailiffs and Hundreders, having Lands within the Bailiwicks and Hundreds, for whom they will answer: and if they will let any Hundreds, Bailiwicks, or Wapentakes to ferm, they shall let the same at the ancient Ferm without any thing increasing; and that the King and his People be served by such Bailiffs and Hundreders, and their Under-Bailiffs, in avoiding for ever the Out-riders and other, which in divers Counties beforetime have notoriously [grieved [2]] the People. And that no Bailiff Errant be, but in the Counties where Bailiffs Errants have been in times past, in the time of the King's Grandfather that now is; and that there be no more but one Bailiff Errant in one County. And in the same manner it is assented, That all other, of what Estate or Condition they be, which have Bailiwicks or Hundreds in Fee, if they the same will hold in their own Hands, then they shall put in such Bailiffs for whom they will answer; and if they will let the same in Ferm to other, then they shall let the same at the ancient Ferm without any thing increasing, as afore is said: And the Justices of the one Bench and the other, the Barons of the Exchequer, and the Justices assigned, shall have Power to inquire of all those that offend against this Ordinance, at all times that they come into the Country, and to execute such Punishment as to them shall seem convenient to be done according to the Law and Reason. And if the Sheriffs or their Fermors be found in Default in any point against this Ordinance and thereof be attainted, the Hundreds and Wapentakes where such default shall be found, shall be taken into the King's Hands, and let to other by the same Justices, and [to commit them [3]] to Prison, there to remain till they have made Fine and Ransom to the King, according to the Quantity of the Trespass; and nevertheless they shall answer to the King of the whole Ferm. And that the Lords which hold Hundreds or Wapentakes in Fee, shall set such Bailiffs which be sufficient to answer the King and his People; and if their Bailiffs do against this Ordinance, they shall be called to answer; and if they be attainted, they shall [have such Punishment [4]] as the Law of the Land requireth in such Case, and they shall be out of their Bailiwicks for ever, and other sufficient put in their Places by the same Lords.

See Statute 2 Ed. 3. c. 12.

and be farmed at the ancient Rent.

Outriders, &c. abolished.

Only one Bailiff errant in one County.

Bailiwicks in Fee.

Who shall punish Offenders.

Punishment of Sheriffs offending.

Lords of Hundreds in Fee

[1] *great*

[2] destroyed

[3] *they themselves committed*

[4] *be punished and have such Judgement*

X. Sheriffs shall have the keeping of the Gaols.

ITEM, in the Right of the Gaols, which were wont to be in ward of the Sheriffs, and annexed to their Bailiwicks; It is assented and accorded, That they shall be rejoined to the Sheriffs; and the Sheriffs shall have the Custody of the same Gaols, as before this time they were wont to have, and that they shall put in such Keepers for whom they will answer. And if it happen that the Keeper of the Prison, or Under Keeper, by too great Duress of Imprisonment, and by Pain, make any Prisoner that he hath in his ward to become an Appellor against his Will, and thereof be attainted, he shall have Judgement of Life and of Member. And that the King's Justices, before whom such cases shall happen, shall enquire the truth thereof; and if they find by Inquest thereupon taken, that any Keeper or Under Keeper hath done the same, he shall be thereof arraigned; and if he be found guilty, he shall have Judgement of Life and Member as afore is said.

Et p' ce q̃ moultz de meschiefs sont avenuz p my le Roialme, de ce q̃ les viscountes ount lessez les Hundredz, & les Wapentaks, a plus haute ferme qils ne rendent au Roi, & mesmes les Fermors les lessent as autr̃s plus chier des g̃ndes sõmes, en tieu mañe p si haute lees & enhansier des fermes, & plus g̃nt nombre des baillifs errantz, outriders & aut̃s, q̃ les viscontes, baillifs & hundreders y mettent, si est le poeple en div̄se mañe charge & greve; si est assentuz & acorde, q̃ desore en avant touz les Wapentaks & Hundredes, q̃ sont sev̄iz des Countees, soient rejointz a mesmes les Countees, aussi come avant ces hures estoit acorde p autre establissement; & q̃ les viscountes les tiegnent en lo' main demeigne, & y mettent tieux baillifs & hundreders, eiantz t̄res deinz mesmes les baillies & hundredz, p' queux ils voillent respoundre: et sils voillent ascuns hundredz, baillies, ou wapentaks lesser a ferme, si les lessent al auncien ferme sanz rien encrestre; & q̃ p tieux baillifs & hundreders, et lo' soutzbaillifs, le Roi & le poeple soient s̄viz, en oustant p' touz jours toux les outriders & aut̃s, q̃ en div̄s Countees avant ces hures notoriement ont destruit le poeple. Et q̃ nul baillif errant ne ne soit, forsq̄ en les Countees ou baillifs errant ad este avant ces hures, en temps le Roi lael; et en nulle mañe ne soient plus des baillifs errantz forsq̄ un soul en un Contee. Et en mesme la mañe est assentuz q̃ touz aut̃s, de quel estat ou condicion qils soient, q̃ ont baillies ou hundredz en fee, sils les voillent tenir en lo' main demeigne, adonq̃s y mettent teux baillifs p' queux ils voillient respoundre; & sils les voillent lesser a ferme as aut̃s, qils les lessent al auncien ferme, sanz riens encrestre come est susdit: et denquere s' touz ceux q̃ veignent al encontre de cest establissement, si eient les Justices del un Bank & del autre, Barons de Lescheqer, & Justices assignez, poair a toutes les foitz qils veignent en pays, & affaire tieu punissement, selonc ceo q̃ lo' semble q̃ fait affaire selonc ley & reison. Et si viscountes, ou lo' fermers, soient trovez en defaute en nulle point countre cest establissement, & de ceo soient atteintz, soient les Hundredz & les Wapentaks dedeinz q̃ux tieles defautes s̄ront trovez, pris en la main le Roi, & lessez as aut̃s p les ditz Justices; & eux cõmandez a la prisone, a y demorer tantq̄ ils eient fait fin & raunceon au Roi, selonc la quantite du t̄spas, & nient meins respoignent au Roi de lentier de la ferme. Et q̃ les Seign'rs q̃ tienent Hundredz ou Wapentaks en fee, mettent tieux baillifs q̃ soient suffisantz a respondre au Roi & au poeple; et si lo' baillifs facent countre cest establissement, soient appellez en respouns, et sils soient atteintz soient puniz, & eient tieu juggement come la ley de la t̄re le demande en tieu cas; & soient oustez de lo' bailliez p' touz jours, & autr̃s suffisantz mys en lo' lieus, p mesmes les Seign'rs.

Item endroit des Gaoles, q̃ soleient estre en garde des Viscontes & annexez a lo' baillies, assentuz est & acordez, qils soient rejointz a les Viscontes; & eient les Viscountes la garde des dites gaoles, come avant ces houres soleient avoir, & y mettent tieux gardeins p' queux ils voillent respondre. Et sil aveigne q̃ gardeyn du prisone, ou soutz gardein, p trop̃ g̃nde durete de prisone, & p peine, face nul prison qil eit en sa garde devenir appellour contre son gree, & de ceo soit atteint, eit mise de vie & de membre. Et q̃ Justices le Roi, devant queux tieu cas avendra, enquergent s' ce la t̄te, et sils troessent p enqueste s' ce prise q̃ nul gardein, ou southgardein, leit fait, soit de ceo aresne; & sil soit trove coupable eit mise de vie & de membre come desus est dit.

Item est assentuz & establi, q̃ chescun clerc q̃ ꝑra depute a receivre les reconisances en Citees & en Burghs, selonc lestatut marchant, demoerge en propre psone p' faire loffice, selonc ce q̃ est contenu en lestatut de Acton Burnel; & q̃ il eit ꝑres suffisantes en meisme le Contee, dont il p'ra respoundre a touz sil mesꝑigne; & si nul autre soit en tiel office soit remue, & autre covenable mys en son lieu.

Item come il soit contenuz en la g'nde chartre q̃ une mesure & un poys soit p my toute Engleꝑre, & auxint contenuz soit en un estatut fait en temps le Roi Edward, aiel le Roi qorest, q̃ nul ne vende p bussel sil ne soit mche du seal le Roi, & qil soit acordant a lestandard le Roi; et auxint y est contenuz q̃ celui q̃ ꝑra atteint qil eit double mesure, cest assaver un plus g'nde p' achater, & un autre meindre p' vendre, soit emprisone come fausour & grevement puny; queles choses nont my este tenuz ne usez puis les ditz establissementz, a g'nt grevance du poeple; si est assentuz & acorde, q̃ desore en avant un mesure & un poys soit pmy toute Engletere; & q̃ le Tresorer face faire ꝑaines estandardz de bussel, de galon, de poys, dairesme, & les face mander en chescune Countee, p la ou tielx estandardz ne sont pas avant ces hures mandez; & s' ce soient assignez deux bons & suffisantz, en chescun Counte, & plus solonc ceo q̃ le Countee est g'unt, de surveer aussibien deinz franchise come dehors, q̃ les mesures & les poys soient acordantz a les estandardz, & qils eient poair denquere oyer & ꝑminer, & de punir touz ceux q̃ ꝑront trovez en coupe; et q̃ les Viscountes a lo' mandement les receivent, & les retienent en prisone, tanq̃ ils eient fait fin au Roi: et soit oy chescun q̃ pleindre se voudra de tieux q̃ mespnent en vendant ou en achatant, aussibien p' le Roi come p' lui mesmes: et q̃ les ditz assignez liv̈ent lo' estretes chescun an a Lendemeyn Seint Michel, a Lescheqer; & ꝑignent p' lour despens la quarte ptie de ce qils pount lever, & respoignent au Roi de les trois pties; et de ce q̃ ne poet estre leve avant lo' pfre, soit la quarte ptie allowe a eux a Lescheqer, & les trois pties levez al oeps le Roi. Et nest pas lentencion le Roi, q̃ le Clerc du Marchee ne face son office p la ou il vendra selonc ce qil soleit faire avant ces hures; ne q̃ les Seign's des Fraunchises ne soient oustiez de lo' franchises p cause de cest establissement.

Item come en la g'nde chartre soit contenuz, q̃ aꝑs la mort des auncestr̃s q̃ tiegnent du Roi en chief, & des queux les heirs sont deinz age, q̃ le Roi face garder les ꝑres sanz wast & destruccion, & les rend entierement a les heirs q'nt ils vendront a lo' plein age; et encontre Dieu & droit, & les ditz establissementz, les Eschetours & aut's as queux les ꝑres de tieux heirs ount este cōmis, ont fait wast & destruccion, a g'nt meschief, aussibien des heirs des Countes, Barons & aut's g'ntz, come daut's q̃ tiegnent du Roi en chief, & nient meins les Eschetours nount en consciencie de faire tieux destruccions, & cheytivement ont responduz au Roi; p quoi est assentuz & establi, q̃ desore enavant, aꝑs la mort de chescun q̃ tient de Roi en chief, q̃ lescheto' face seisir en la mein le Roi les ꝑres come appent, sanz wast faire en meisons, boys, parcs, viver̃s, ou aut's extorsions q̃ peussent escheer au damage del Heir; & hastivement aꝑs le diē clausit extremū a lui liv̈ee, le face retournir p bone & vitable extente, en Chancellie; aꝑs queu retourn, si trove soit q̃ leir soit deinz age, & les ꝑscheines amys le dit heir, as queux leritage ne poet descendre, viegnent & se offrent aꝑndre les dites ꝑres, rendant la value au Roi tanq̃ al age leir, si avant come

ITEM, It is assented and established, That every Clerk which shall be deputed to receive Recognizances in Cities and Boroughs, according to the Statute Merchant, shall abide in proper Person to do his Office, according as is contained in the Statute of Acton Burnel; and that he have Lands sufficient in the same County, whereof he may answer to all Persons if he offend; and if any other be in the same Office, he shall be removed, and another convenient set in his Place.

XI. Clerks of Statutes Merchant shall be resident and sufficient. *See Statute* 11 *Edw. I.*

ITEM, Where it is contained in the Great Charter, that one Measure and one Weight be throughout England; and also it is contained in a Statute made in the time of King Edward, Grandfather to the King that now is, that none shall sell by the Bushel, if it be not marked with the King's Seal, and that it be according to the King's Standard; and also it is contained, that he which shall be attainted for having double Measure, that is to say, one greater to buy, and another less to sell, shall be imprisoned as [false,[1]] and grievously punished; which things have not been holden nor used after the said Establishment, to the great Grief of the People; It is assented and accorded, That from henceforth one Measure and one Weight shall be throughout the Realm of England; and that the Treasurer cause to be made certain Standards of Bushels, Gallons, of Weights of [Aunce,[2]] and send the same into every County where such Standards be not sent before this time; and thereupon shall be assigned two good and sufficient Persons in every County, and more, according as the County in greatness requireth, to survey as well within Franchise as without, that the Measures and the Weights be according to the Standard, and that they have Power to inquire, hear, and determine, and to punish all those that shall be found thereof guilty; and that the Sheriffs at their Commandments, receive and detain them in Prison till they have made Fine to the King; and every Person that will complain of such as do offend in buying or selling shall be heard, as well for the King as for himself: and that the said Assignes shall deliver their Estreats every Year in the morrow of Saint Michael, at the Exchequer, and take for their Expences the fourth Part of that which they may levy, and answer to the King the three Parts; and of that which may not be levied before their profer, the fourth Part shall be allowed to them at the Exchequer, and the three Parts levied to the King's Use. And it is not the King's Mind, but that the Clerk of the Market shall do his Office [where he will,[3]] according as he was wont to do in times past; nor the Lords of Franchises shall not be ousted of their Franchises by the Occasion of this Ordinance.

XII. One Measure and One Weight throughout England. *Magna Carta* 25 *Ed.* 1. *c.* 25. & *Stat. inc. temp.*

Standards to be sent into every County.

Persons shall be assigned to survey Measures; who shall levy the Penalties, &c.

Saving for the Clerk of the Market; and Lords of Franchises.

[1] a falsifier
[2] brass
[3] *wherever he shall come,*

ITEM, Whereas in the Great Charter it is contained, that after the Death of the Ancestors, which hold of the King in chief, and whose Heirs be within Age, that the King shall keep the Lands without Waste and Destruction, and restore them wholly to the Heirs when they come to their full Age; and against God and Right, and the said Establishment, the Escheators, and other to whom the Lands of such Heirs have been committed, have done Waste and Destruction, to the great Mischief, as well of the Heirs of Earls, Barons, and other great Men, as of other which hold of the King in Chief, and nevertheless the said Escheators have not had Conscience to do such Destructions, and scarcely have answered the King: Wherefore It is assented and established, That from henceforth after the Death of every Person which holdeth of the King in chief, that the Escheators shall do to be seised into the King's Hands the Lands as pertaineth, without doing Waste in Houses, Woods, Parks, Ponds, and other Extortions, which may fall to the Damage of the Heir; and hastily after the diem clausit extremum delivered him to return the same by a good and true Extent in the Chancery: After which Return if it be found that the Heir is within Age, and the next Friends of the Heir to whom the Inheritance cannot descend, shall come and offer them to take the said Lands, yielding Value to the King, till the Age of the Heir, as far forth as

XIII. Escheators shall not commit Waste in Lands of the King's Wards. *Magna Carta*, 25 *Ed.* 1. *c.* 45.

Return of Extent into Chancery.

The next of Kin to the King's Ward may take his Land in Ferm.

other will yield without Fraud, by accord betwixt the Chancellor and Treasurer, they shall have a Commission to keep the said Lands by good and sufficient Surety till the Age of the said Heirs, and to answer the King of the Value: And it is not the King's Intent, that by this Statute he be foreclosed to have an Action of Waste against such Guardians and Fermors, as he and his Ancestors have had before this Time; and that the Heirs, when they come to their Age, shall have their Action by Writ of Waste against such Guardians and Fermors.

Action of Waste against the Fermors.

XIV. ITEM, Whereas before this Time, in case that a Man hath demanded by Petition in the Parliament certain Lands and Tenements which be in the King's Hands, and to the same Petitions hath been answered in the same Parliament, Chancery, or the King's Bench, that the King will that a Writ be sued to the Treasurer and Chamberlains [of the Exchequer,] to search Charters, [Miniments,'] and other Remembrances, which may him avail, whereby he may be advised to make answer; to which Writs commonly the Treasurer and Chamberlains have answered, that they have searched but not [by-searched,'] and would not answer that they have fully searched and nothing found, nor that they can no more find, but that which they have sent; whereby according to the Law afore this Time used, a Man hath not had cause to put them which be for the King to answer, and in such Manner the Demandants have been greatly delayed to their Mischief; Wherefore It is assented, That after that the Four Writs be returned, whether [the Miniment '] or Remembrance be found for the King, or not, that then in the Parliament, Chancery, or in the King's Bench, or in the Common Bench, they which shall sue for the King shall be put to answer, and to defend the Lands and Tenements so demanded against the King, to the best that they can or may according to the Law, so always that every of the Four Writs be delivered to the Treasurer and to the Chamberlains Forty Days before the Day of the Return; and that by Commandment of the Great Seal, or Privy Seal, no point of this Statute shall be put in delay; nor that the Justices of whatsoever Place it be, shall let to do the Common Law by Commandment, which shall come to them under the Great Seal or Privy Seal.

XIV. After Four Writs of Search for the King, returned, the King put to answer; on Petition for Lands in his Hands.

The Great or Privy Seal shall not hinder this Statute.

XV. ITEM, Because by divers Statutes made before this Time in divers Parliaments it was assented, That no Charter of Pardon of the Death of a Man should be granted by the King, but in case where he may do it keeping the Oath of his Crown; which Statutes have not been holden, but Charters have been granted without Number to divers [Felons [4]] and Manslayers, to the evil Example and Fear of good People and lawful, whereby [Thieves, Felons, and Offenders [5]] be comforted to do their Robberies and Man-slaughter, and the same do from Day to Day, and the more be encouraged to do the same, because of Hope easily to have their Charters of Pardon; It is assented, established, and accorded, That no Charter [or [6]] Pardon of the Death of a Man, nor of other Felony, shall be from henceforth granted to any Man, but in case where the King may the same do, saving the Oath of his Crown, as it is contained in the Statutes made before this Time; and if any Charter be from henceforth granted against the said Statutes, the same shall be holden for none.

XV. No Pardon for Felony inconsistent with the King's Oath. *See Statutes* 2 *E.* 3. *c.* 2; 10 *E.* 3. *st.* 1. *c.* 2.

XVI. ITEM, Whereas before this Time it was established, That the Inquests and Juries which be to be taken, as well of the King's Bench as of the Common Bench, should be taken before one or [more [7]] Justices of the same [Place,[8]] as it is contained in the said Establishment; and now it is notoriously seen and known, that divers Inquests and Juries have been [9] taken, and yet be in divers Counties of England, where no Justice did come, to the great Mischief of the Parties that do sue, and also of the good People of the Country which be impanelled: Wherefore it is assented and stablished, That whoso demandeth the Nisi Prius in the King's Bench, as well at the Suit of the Defendant, as of the Plaintiff, as before this Time hath been done by the Form of the Statute, the Nisi Prius shall be granted before any

XVI. *See Statutes Westm.* 2. 13 *E.* I. *c.* 30; 12 *E.* II. *c.* 3.

Nisi Prius may be granted before a Justice of Common Pleas, in a Suit in King's Bench;

[1] muniments [2] thoroughly searched
[3] any muniment [4] Thieves
[5] the Thieves and Offenders [6] of [7] two
[8] *Places* [9] *to be*

auꝰs voillent rendre sanz fraude, ꝑ acord entre les Chanceller & Tresorer, eient cõmission a garder les dites ꝑres ꝑ bone & suffisant seurte, tanq, al age les ditz heirs, & a respoundre au Roi de la value: et nest pas lentencion le Roy q̃ ꝑ cest estatut il soit forclos, daꝰ sa accion de Wast deꝰs tieux gardeins & fermers, si come lui & ses auncestꝰs ont eu avant ces houres; & q̃ les heirs q̃nt ils vendront a loꝛ age eient loꝛ accion ꝑ brieft de Wast, deꝰs tieux gardeins & fermers.

Item come avant ces houres, en cas q̃ hõme ad demaunde ꝑ peticion du plement ꝺteines tres & teñz q̃ sont en la mein le Roi, & a les dites peticions eit este respoundu en dit plement, Chancellie, ou en Bank le Roi, q̃ le Roi voet q̃ brief soit swy as Tresorer & Chaumbleins, ꝑ serchier chartꝰs, monymentꝫ, & autꝰs remembrances q̃ lui pount valer, ꝑ quoi il puisse estr̃ avise a faire respouns; as queux briefs cõmunement le Treš & Chaumbleins ont respondu, qils ount ꝺsche, mes nemy ꝑserche, & nount pas volu respoundre qils ount pleinement ꝺsche, & riens ne troevent, ne qils poent plus trover fors ce qils ont mande; ꝑ quoi (1) la ley avant ceste hure usee, hõme nad my eu cause a mettre ceux q̃ sont pꝛ le Roi a respouns, & en tieu maꝺe les demandantz ont este gãntment delaiez a meschief de eux; ꝑ quoi est assentuz, q̃ aꝑs q̃ les quatre briefs soient retꝛnez, le quel q̃ monyment ou remembrance soit trove pꝛ le Roi ou nemy, q̃ adonq̃s en plement, Chancellerie, ou en Bank le Roi, ou en cõe Bank, soient ceux q̃ sont pꝛ le Roi mys a respouns, & a defendre les ꝑres & teñz ensi demandez deꝰs le Roi, a meutz qils saꝟont ou pꝛront, selonc la lei, ensi totes foitz q̃ chescun des quatre briefs soit liꝟee as Treš & Chaumbleins quarante jours devant le jour de retourñ; & q̃ ꝑ mandement de gãnt seal ne de pꝛvee seal nul point de cest estatut ne ne soit mys en delay; ne q̃ Justices de quecumq, place q̃ ce soit, lessent a faire cõe lei, pꝛ maundement q̃ les vendra desoutz le gãnt seal ou privee seal.

Item pꝛ ceo q̃ ꝑ diꝰs estatutz avant ces houres faitz en diꝰs plementz, si fut assentuz q̃ nul chartre de ꝑdoun de mort de hõme, ne ne serroit fait ꝑ le Roi mes en cas qil le poet faire gardant le ꝺement de sa coroune; les queux estatutz ne ount pas este tenuz, einz ount este chartres sanz nombre gãntez as diꝰs larons & homicides, a mal ensample & affrai des bones gentz & loialx, ꝑ quoi les larons & meffesours sont comfortez affaire loꝛ robies & homicides, & les fount de jour en autre, & plus sont esbaudiz a le faire ꝑ cause de espoir davoir loꝛ chartꝰs de ꝑdoñ leg̃ement; si est assentuz acorde & establi, q̃ nul chartre de ꝑdon de mort de hõme, ne dautre felonie, ne ne soit desore en avant gãnte, a nul, forsq, en cas ou le Roi le poet faire sauvant le ꝺement de sa coronne, si come est contenuz en les estatutz avant ces hures faitz; et si nulle chartre soit desore gãnte contre les ditz estatutz, qele soit tenu pꝛ nulle.

Item come avant ces houres soit establi q̃ les enquestes & jurrez, q̃ sont aꝑndre aussibien de Bank le Roi come de cõe Bank, fuissent pris devant un ou deux Justices de meismes les places, si come est contenuz en meismes les establissementz; & ja si est notoriement veu & conu q̃ diꝟses enquestes & jurrees ont este aꝑndre, & encore sont en diꝰs Contees Dengleꝺre, ou nulle Justice nest venu, a gãnt meschief des ꝑties q̃ suent, & aussi des bones gentz du pays q̃ sont mys en panel; ꝑ quoi est assentuz & establi, q̃ qi q̃ ce soit q̃ demande le Nisi Prius en Bank le Roi, aussibien a la seute le defendant come de pleintiff, come avant ces hures ad este fait ꝑ forme destatut, q̃ lui soit le Nisi Prius gãnte, devant ascun Justice de la place, ou le plee

[1] per *Printed Copies.*

pent, si ascun de la place peusse bonement aler en celles pties, & si nemy adonqs soit g^nte le Nisi Prius devant ascun Justice du cõe Bank, au ꝺein jour q̃ poet estre acorde, & tenour du record a lui liv̂ee ou mande desoutz le seal le chief de la place; a queu jour il p̂igne lenqueste, & retourne le ꝺdit desoutz son seal ovesq̃ le brief, la tenour & le panel, le quel soit receu en Bank le Roi, & illoeqs enroule, & s^r ce juggement rendu selonc le ꝺdit de mesme lenqueste; & eit le dit Justice du cõe Bank poair de recorder defautes & nounseutes, auxi avant come le Nisi Prius eust este g^nte devant ascun Justice du Baunk le Roi; aps queux defautes issint recordez & ret'nez en Bank le Roi, aillent les Justices a juggement rendre s^r mesme le record. En mesme la maꝺe soit fait de toutz les plees q̃ sont ou ꝺront en cõe Baunk, dont les enquestes & jurrees sont ou ꝺront ap̂ndre en pays p le Nisi Prius; si nul des Justices de meisme le place ne [y [1]] aille soit le Nisi Prius g^nte devant ascun Justice du Bank le Roi, affaire come devant est dit des Justices du Cõe Bank, & la tenour du record a meisme celui Justice maunde, qi eit autieu poair come devant est dit de Justice du cõe Bank, qest assigne ap̂ndre les enquestes & jurrees du Bank le Roi. Et sil aveigne q̃ nul des Justices del un Bank ne del autre, ne puisse venir en pais la ou enquestes & jurrees sont ap̂ndre, adonq̃ soit le Nisi Prius g^nte devant le chief Baron del Escheqer, sil soit hõme de ley; & eit autieu poair come les Justices del un Bank ou del autre ont p cest estatut: et en cas q̃ nul des Justices del un Bank, ne del autre, ne le chief Baron del Escheqir, qi soit hõme de lei, ne viegne en pais, ou les enquestes & jurrees sont, ou ꝺront ap̂ndre p le Nisi Prius, adonq̃s soit le Nisi Prius g^nte devant Justices assignez a les assises ꝺndre celles pties; issint toutes foitz q̃ un des ditz Justices assignez soit Justice del un Bank ou del autre, ou ꝺjant le Roi jurree; & eient mesmes ces Justices autieu poair come devant est dit des Justices del un Bank & del autre. Et si lune ptie demaunde la tenour du record dev̂s lui avoir, p^r liv̂er a le Justice devant qi le Nisi p'us est g^nte, pur eschure q̃ fraude ne damage ne soit fait al autre ptie, ne as gentz del enqueste, soit un autre tenour de mesme le record baille a lautre ptie, sil le demande. Et come soit autre foitz establi q̃ les Justices, devant queux le Nisi p'us ad este g^nte, es plees dassises de darrein p̂sent, et quare impedit, eient poair de rendre les juggementz en pais, s^r ꝺditz dassise & denqueste, & s^r nounseutes & defautes; si est assentuz q̃ les Justices del un Bank & del autre, chief Baron del Escheqir, & Justices assignez, devant queux le Nisi Prius est g^nte p cest estatut, eient poair de rendre les juggementz en pais, & ce retournir, solonc ce q̃est contenuz en lestatut Dev̂wyk s^r ce fait.

Item est assentuz & establi, q̃ vikeres, psones, & gardeins de Chapeles, & pvosts, gardeins & Chapelleins des Chaunt̂ies ppetueles, eient lo^r brief de Utrum, des t̂res, teïz, rentes & possessions annexes ou donez ppetuelement en almoigne, as Vikeries, Chapeles, ou Chaunt̂ies, & recov̂ir p aut̂s briefs en lo^r cas, auxi avant come psones des Eglises ou pvenders. Item p^r ceo q̃ les demandantz en plee de t̂re ount este sovent delaiez de ce q̃ les tenantz ount vouche a garrant un hõme mort, encontre queu vouchier, les demandantz ne poaient my avant ces houres av̂ este receux dav̂ir, q̃ le vouche est mort, a g^nt delay & meschief de eux; acorde est & establi, q̃ desore en avant, si le tenant vouche a garrant un hõme mort, & le demandant voille av̂er q̃ le vouche est mort, ou qil neit nul tiel, soit lav̂ement de lui receu sanz plus delay.

[1] Interlined on the Roll.

Justice of the Place where the Plea dependeth, if any of the same Place may well go into those Parts; and if not, then the Nisi Prius shall be granted before any Justice of the Common Bench, at a certain Day, which may be accorded, and [to deliver or send the Tenor of the Record to him [1]] under the Seal of the Chief Justice of the Place; at which Day he shall take the Inquest, and return the Verdict under his Seal with the Writ, the Tenor, and the Panel, which shall be received in the King's Bench, and there enrolled, and thereupon Judgement given according to the Verdict of the same Inquest; and the said Justice of the Common Bench shall have Power to record Defaults and Nonsuits, as far forth as if the Nisi Prius had been granted before any Justice of the King's Bench; after which Defaults so recorded and returned in the King's Bench, the Justices shall go to give Judgement upon the same Record. And in the same Manner be it done of all the Pleas which be or shall be in the Common Bench, whereof the Inquests and Juries be or shall be [2] taken in the Country by Nisi Prius; and if none of the Justices of the same Place go [3], the Nisi Prius shall be granted before any Justice of the King's Bench, to do as afore is said of the Justices of the Common Bench, and the Tenor of the Record shall be sent to the same Justice, [that he may [4]] have like Power as afore is said of the Justices of the Common Bench, which be assigned to take Inquests and Juries of the King's Bench. And if it happen that none of the Justices of the one Bench nor the other may come into the Country where Inquests or Juries be to be taken, then the Nisi Prius shall be granted before the Chief Baron of the Exchequer, if he be a Man of the Law; and he shall have such Power as the Justices of the one Bench and the other have by this Statute: And in case that none of the Justices of the one Bench nor the other, nor the Chief Baron of the Exchequer, being a Man of the Law, do not come into the Country where the Inquests and Juries be or shall be [2] taken by the Nisi Prius, then the Nisi Prius shall be granted before the Justices assigned to take Assises in those Parts; so always that one of the said Justices assigned be Justice of the one Bench or the other, or the King's Serjeant sworn: And the same Justices shall have such Power as afore is said of the Justices of the one Bench and of the other. And if the one Party demand the Tenor of the Record to have with him, to deliver to the Justices before whom the Nisi Prius is granted, for to eschue that no Fraud or Damage be done to the other Party, nor to the People of the Inquests, another Tenor of the same Record shall be delivered to the other Party, if he the same require. And Whereas it hath been another Time established, that the Justices before whom the Nisi Prius hath been granted in Pleas of Assises, of Darrain Presentment, and Quare Impedit, should have Power to give the Judgements in the Country upon the Verdicts of Assise, and of Inquests, and upon Nonsuits and Defaults; It is assented, That the Justices of the one Bench and of the other, the Chief Baron of the Exchequer, and the Justices assigned, before whom the Nisi Prius is granted by this Statute, shall have Power to give Judgements in the Country, and return the same, according as it is contained in the Statute of York thereupon made.

Nisi Prius may be granted before a Justice of King's Bench, in a Suit in Common Pleas;

or before the Chief Baron of Exchequer, if a Man of the Law;

or before Justices of Assise, and King's Serjeants.

Justices of Nisi Prius may give Judgement in Quare Impedit and Darrain Presentment.

See Statute 12 *Ed. II.* c. 3, 4.

XVII. ITEM, It is assented and stablished, That Parsons, Vicars, Wardens of Chapels, and Provosts, Wardens and Priests of perpetual Chaunteries, shall have their Writs of Juris utrum of Lands and Tenements, Rents, and Possessions, annexed or given perpetually in Alms to Vicarages, Chapels, or Chaunteries, and recover by other Writs in their Case as far forth as Parsons of Churches or Prebends.

Juris Utrum,

XVIII. ITEM, Because the Demandants in plea of Land have been often delayed, for that the Tenants have vouched to warranty a dead Man, against which voucher the Demandants before this time might not be received to aver that the Vouchee is dead, to their great delay and mischief; It is accorded and established, that from henceforth if the Tenant vouch to warranty a dead Man, and the Demandants will aver that the Vouchee is dead, or that there is none such, their averment shall be received without delay.

Demandant may aver the Death of the Vouchee.

[1] the Tenour of Record to him delivered or sent *MS. Tr.* 2.
[2] *to be* [3] thither *MS. Tr.* 2. [4] *who shall*

XIX. Purveyances for the Royal Houses to be by Warrant. Purveyors to take nothing without the Owner's Consent.

ITEM, It is assented, That the Purveyances which shall be made for the King's House and the Queen's, where they do abide and pass through the Country, shall be made by Warrant and Power given to them which shall make the Purveyances; in which shall be expressly contained, that they shall take nor buy nothing, unless it be by Promise made betwixt the Buyer and the Seller, and by the Agreement of the Sellers: And if any will any Thing take by colour of his Commission against this Ordinance, none shall be bound to obey him, no more than if he had no Commission. And of that that shall be so bought and purveyed, Payment shall be made to the Seller before that the King pass out of the Verge. And of great Purveyances to be made, as of Flesh, Fish, and other Victuals for the King's Wars, and for to victual the Castles and Towns in Scotland and England, and other Places, certain Merchants or other good People shall be deputed by the Treasurer, to make the said Purveyances, without Commissions, and without the King's, or others Power; so that the People nor none of them be put to sell any Thing against their Will. And that no Commission be made to the Keepers of the King's Horses, (1) but be it only commanded to the Sheriff, that he make Purveyance by him and by his, of the Issues of his Bailiwick; and the Number of the Horses for which he shall make such Purveyance shall be contained in the said Commandment; and that no Purveyance be made over this Number; saving that the chief Keeper have an Hackney, and that he take good heed, that the Country be not charged of more than shall keep the Horses, but for every Horse a Knave, without bringing Women, Pages, or Dogs with them; and if more be found abiding, in charge of the Country, they shall be brought to the Prison, there to remain till the King hath sent his Will. And in the same Manner be it commanded to the Sheriffs, that they make their Purveyances for the King's Dogs of the Issues of their Bailiwicks where they dwell; and that such Purveyances be made by none other but by the [Sheriffs [2]]; and be it contained in [this [3]] Commandment the Number of the Dogs for which he shall make Purveyance, over which Number no Purveyance shall be made, so that they live of their certain, without charging the Country. And if any find him grieved against this Ordinance, he shall have his Recovery against the Sheriff of such Grievances done to him.

Purveyance for the Wars.

Purveyance for the King's Horses.

Purveyance for the King's Dogs.

[1] *by the King, nor by the Sheriff, nor by others, to make Purveyance for the King's Horses;* [2] *Sheriff*
[3] his

XX. *See Chapters 2. and 3. of this Statute.*

ITEM, (4) The Grants, Releases, and Pardons of the [said [5]] Chattels of Felons and Fugitives, and many other Things [under written,[6]] which the King hath granted to the Prelates, Earls, Barons, and all the Commons of his Realm, for the Ease of them perpetually to endure, the said Prelates, Earls, Barons, and all the Commons of the Realm, willingly of one Assent and good Will, having regard to the Will that the King their Liege Lord hath towards them, and to the great Travels that he hath made and sustained as well in his Wars of Scotland, as against the Parts of France, and other Places, and to the good Will which he hath to travail to keep his Realm, and maintain his Wars, and to purchase his Rights: They have granted to him the ix. Lamb, the ix. Fleece, and the ix. Sheaf, to be taken by Two Years then next to come. And of Cities and Boroughs the very ix. Part of all their Goods and Chattels, to be taken and levied by lawful and reasonable Tax by the same Two Years, in Aid of the good keeping of this Realm, as well by Land as by Sea, and of his Wars, as well against the Parts of Scotland, (6) the Parts of France, Gascoyne, and elsewhere. And in Right of Merchants foreign, which dwell not in the Cities nor Boroughs, and also of other People that dwell in Forests and Wastes, and all other that live not of their [Gain nor Store,[7]] by the good Advice of them which shall be deputed Taxers, (8) shall be set lawfully at the Value to the Fifteen, without being unreasonably

A Subsidy granted to the King, of the Ninth Lamb, the Ninth Fleece, and the Ninth Sheep.

In Cities and Boroughs of the Ninth Part of all Goods;

Elsewhere of the Fifteenth.

Poor Persons excepted.

[4] *for* [5] *Debts,*
[6] and good establishments above written, *MS. Tr.* 2.
[7] *Tillage, or their Store of Sheep* [8] *they*

Item est assentuz q̃ les p'veances, q̃ se ferront p' les hostiels le Roi & la Roigne, p la ou ils dem'ront & passent p pays, seient faites p garrant & poair donez as ceux q̃ ferront les p'veances; en quele soit exp̃ssement contenuz, qils ne p'voient ne achatent riens, si ce ne soit p foer fait entre les acatours & les vendours, & p le bon gree des vendours: et si ascun voille riens p̃ndre, p colour de sa cõmission contre cest establissement, ne ne soit nul tenuz de obeier a lui, plus avant, q̃ sil neust nulle cõmission; et de ce q̃ s̃ra ensi achate & p'veu, soit paiement fait au vendour, avant ce q̃ le Roi passe hors de la v̄ge. Et des g̃ntz p'veances a faire, come des chars, pesshons & aut̃s vittailles p' les guerres le Roi, & p' ses chastielx & villes vittailler en Escoce, Engletre & aillo's, soient c̄teins marchantz, ou bones gentz deputez p le Treso-rer, a faire les dites p'veances, sanz cõmission & sanz poair du Roi ou dautre; ensi q̃ le poeple, ou ascun de eux, ne ne soit mys a vendre riens contre lo' gree & volente. Et q̃ nul cõmission soit faite au gardein des Chivals le Roi, p le Roi, ne p le viscount, ne p aut̃s de faire p'veance p' les Chivals le Roi; mes soulement soit mande au viscount qil face les p'veances, p lui & p les seons des issues de sa baillie, & q̃ le nombre des Chivals, p' queux il ferra tieu p'veance, soit contenu en son dit mandement, et q̃ nulle p'veance soit faite outre cel nombre; sauve q̃ le chief gardein eit un hakeney, et qil p̃igne garde q̃ le pais ne soit my charge des plus q̃ gardent les Chivals, forsq, p' chescun chival un garceon sanz menir fẽmes, pages, ou chiens ovesq, eux; et si plus soient trovez demorantz en charge du pays, soient menez a la prisone a demorir illeoq̃s tanq, le Roi mande sa volente. En mesme la mane soit mande a viscount, qil face les p'veances p' les chiens le Roi, des issues de sa baillie, p la ou ils dem'ront; et qe tieles p'veances se facent p null autre forsq, p viscont; et soit contenuz en son mandement le nombre des chiens p' queux il ferra p'veance, outre queu nombre null p'veance soit fait, issint qils vivent de lour c̄tein sanz chargier le pais. Et si nul se sent greve contre cest establissement, qil eit son recov̄ir dev̄s le viscount, de tieu grevance a luy faite.

Et p' les g̃ntz relees & p̃dons des dettes, chateux des felons & de futifs, & moultz des aut̃s choses, & bons establissementz desus escriptz, q̃ le Roi ad g̃nte as Prelatz, Contes, Barons, & a toutz les cões de son roialme, p' leese de eux ppetuelement adurer, les ditz Prelatz Contes Barons & touz les cões du roialme, uniement de un assent, & de un bone volente, eiantz regard a la bone volonte q̃ le Roi lo' Seign' lige ad dev̄s eux, & a les g̃ntz t̃valx qil ad fait & sustenu, aussibien en ses guerres Descoce come dev̄s les pties de F̃nce & aillo's, & a la bone volonte qil ad a t̃vailler p' son roialme garder, ses guerres meintenir, & ses droit'es p'chaser; si ont ils g̃ntez a lui le noefisme aignel, le noefisme toyson, & la noefisme garbe, a p̃ndre p deux ans p̃schein avenir. Et des Citees & Burghs le v̄rai noefisme de toutz lo' biens & chatelx ap̃ndre & lever p loial & resonable ta̅x, p mesmes les deux ans, en eide de la bone garde de son roialme, aussibien p t̄re come p meer, & de ses guerres aussibien dev̄s les pties Descoce come dev̄s les pties de F̃nce, Gascoigne, & aillo's. Et endroit des marchantz foreins, q̃ ne demoerent poynt en Citees nen Burgh̃s, & auxint des aut̃s gentz q̃ demoerent en forestes, gastines, & touz aut̃s q̃ poynt ne vivent de lo' gaynerie, ou de lo' estor des berbiz, p bon avis de ceux q̃ sont deputez taxo's, seient mys loialment a la value au quinzisme, sanz estre desresonablement plus

avant chargez; & nest pas lentent le Roi ne des aũs g"ntz & cões, q̃ p my cele g"nt, fait au Roi du quinzisme, les poures cotiers, ne autrs q̃ vivent de t"vaill de lor corps, soient compris dedinz le taẍ du dite quinzisme, einz soint deschargiez p lavis de ceux q̃ sont deputez taxo's, & des g"ntz q̃ sont deputez s'veours.

Et coment q̃ les cões du Roialme prierent au Roi, qil vousist p assent du plement g"nter & establir, q̃ jamẽs ne feust pris plus de custume dun sak de leine, q̃ un demy mark, ne de plum, esteym, quirs ne pealx lanutz, forsq̃ launciene custume, nep'q"nt le Roi pria as Prelatz, Contes, Barons, & as toux les cões, q̃ p' - - grosses busoignes qil avoit ore en̄ meins, come ils bien savoient, qils lui vousissent g"ntier ascun eide, s' les leines, quirs, pealx lanutz, & autres marchandises a durer un piece; s' quoi, eu delibacion, les ditz Prelatz Contes Barons & cões de son roialme, lui ont g"nte quarante souldz, a p̄ndre de chescun sak de leine, & quarante souldz de chescun trois Centz pealx lanutz, & de chescun last de quirs quarant soldz, & dautrs marchandises a la ferant, q̃ passeront outre meer; & a comencier a la feste du Pasch̄ en lan du regne le Roi qorest quatorzisme, & a durer tanq̃ a la feste de Pentecost p̄schein seuant, & de cel fest [tanq̃ al fest '] de Pentecost p̄schein seuant en un an. Et p' cel g"nt, le Roi p assent des Prelatz Contes Barons & touz aũs assemblez a son plement, si ad g"nte, q̃ de la feste de Pentecost q̃ vient en un an, lui ne ses heirs nene demanderont, ne asserront, ne p̄ndront, nene soeffrent estre pris, plus de custume de un sak de leine, de null engleys, forsq̃ un demy marc de custume tantsoulement; & s' pealx, & quirs launcien custume: & deit le sak contenir vynt & sys pieres, & chescun piere quatorze liv̄s. Et q̃ chescun q̃ passera leynes as pties de dela, engleys ou autre, reseant, habitant ou repeirant en Engletre, troesse bone & suffisant seurte as custumers, avant son passer, de repoter de chescune sak de leine, plate dargent a la value de deux marcs, a son [primer [2]] retournir ou repeirir, & mesme la ([3]) porte a leschange le Roi, & illoeq̃s receive ses deniers. Et q̃ nul ne cokette leynes, forsq̃ en le noun de celui a qi celles leines s̄ront; & si nulles leines soient trovez autrement cokettez, soient pris en la main le Roi come forfaitz. Et a cest establissement lealment tenir & garder, si ad le Roi p̄mys en la p̄sence des Prelatz, Contes, Barons, & aũs en son plein plement, sanz plus de charge mettre, ou asseer, s' la coustume forsq̃ en maṅe come est susdit. Et en mesme la maṅe les Prelatz, Contes, Barons, ont lealment p̄mys tant come en eux est, qils pcureront le Roi, tant come ils pount, a le tenir; et q̃ en null maṅe, ils ne assenteront au cont"ire, si ce ne soit p assent des Prelatz, Contes, Barons, & cões de son roialme, & ce en plein plement. Et p' plus g"nde seurte, & a doner cause a toux de eschuire a conseiller au cont"ire de ce point destablissement, si ount les Prelatz p̄mys a doner sentence s' touz ceux q̃ viegnent al encountre en nul poynt.

[1] [2] Interlined on the Roll. [3] plate *St.* 14 *E.* 3. *st.* 2. *c.* 4.

Ex mag. Rot. Stat. in Turr. Lond. m. 21.

Anno xiiij. EDWARD p la g"ce de Dieu Roi Dengletre & de France, & Seign' Dirlaunde, a touz ceux as queux cestes ẗres vendront, salutz. Sachiez q̃ come Prelatz, Contes, Barons, & cões de nr̃e roialme Dengletre, en nr̃e present plement somons a Westmonstier, le Meskerdy p̄schein ap̄s le dymeigne en demy quaresme, Lan de nr̃e regne Dengletre qatorzisme, & de France primer, nous aient g"ntez de lor bone gree & de bone volente, en eide del exploit de noz grosses

charged; and it is not the Intent of the King, nor of other great Men, nor the Commons, that by this Grant made to the King of Fifteens, the poor [borail People,[1]] nor other that live of their bodily Travel, shall be comprised within the Tax of the said Fifteens, but shall be discharged by the Advice of them which be deputed Taxers, and of the great Men which be deputed Surveyors.

XXI. A Subsidy granted to the King on Wool, Wool-fells, and other Merchandise exported, for a certain Period.

ITEM, Though the Commons of the Realm did pray the King, that he would by Assent of the Parliament grant and stablish, that never should be taken more Custom of a Sack of Wool than half a Mark, nor of Lead, nor Tin, Leather, nor Wool-fells, but the old Custom: Nevertheless the King [prayeth [2]] the Prelates, Earls, Barons, and all the Commonalty, for the great Business which he hath now in hand as they well know, that they would grant to him some Aid upon the Wools, Leather, Wool-fells, and other Merchandises, to endure for a small Season; Whereupon Deliberation had, the said Prelates, Earls, Barons, and Commons of his Realm, hath granted to him Forty Shillings to be taken of every Sack of Wool, and Forty Shillings of every Three hundred Wool-fells, and Forty Shillings of every Last of Leather, and other Merchandises that pass beyond the Sea, after the Rate; and to begin at the Feast of Easter, in the xiiii. Year of his Reign, and to endure till the Feast of Pentecost, then next following, and from that Feast till the Feast of Pentecost [then next following into a Year.[3]] And for this Grant, the King by the assent of the Prelates, Earls, Barons, and all other assembled in Parliament, hath granted, that from the Feast of Pentecost, [which cometh into one Year,[4]] he nor his Heirs shall not demand, assess, nor take, nor suffer to be taken more Custom of a Sack of Wool of any Englishman, but half a Mark ([5]) only; and upon the Wool-fells and Leather the old Custom; and the Sack ought to contain xxvi. Stones, and every Stone xiiii. li. And that every Man that shippeth Wools over the Sea, Englishman or other, resiant, inhabiting or repairing in England, shall find good and sufficient Surety to the Customers before his passing, to bring again, of every Sack of Wool, Plate of Silver, to the Value of Two Marks at his first return or repairing, and to bring the same Plate to the King's Exchange, and there to receive his Money. And that none cocket Wools, but in the Name of him that shall be Owner of the same; and if any be found otherwise cocketted, they shall be taken in the King's Hands as forfeit. And this Stablishment lawfully to be holden and kept, the King hath promised in the presence of the ([6]) Earls, Barons, and other in his Parliament, no more to charge, set, or assess, upon the Custom, but in the Manner as afore is said. In the same Manner the Prelates, Earls, and Barons, have promised lawfully, as much as in them is, that they shall procure the King, as much as they may, to hold the same; and that they shall in no wise assent to the contrary, if it be not by assent of the Prelates, Earls, Barons, and Commons of the Realm, and that in full Parliament. And for the more greater Surety, and to give cause to all to eschew to counsel to the contrary of [this Ordinance,[7]] the Prelates have promised to give Sentence upon all them that come against the same in any Point.

The old Custom only to be taken afterwards.

Exporters of Wool shall give Surety to import Silver in Return.

Cocketing Wools.

No other Custom shall be levied but by assent of Parliament

[1] Comuners *MS. Tr.* 2. [2] prayed *MS. Tr.* 2.
[3] then next ensuing in an whole year *MS. Tr.* 2.
[4] that cometh in a year *MS. Tr.* 2. [5] *of Custom*
[6] *Prelates* [7] this point established, *MS. Tr.* 2

STATUTE THE SECOND.

EDWARD, By the Grace of God, [&c. to all them, &c.] Greeting. Know Ye, that Whereas the Prelates, Earls, Barons, and Commons of our Realm of England, in our present Parliament holden at Westminster the Wednesday next after the Sunday of Middle Lent, the fourteenth year of our Reign of England, and the first of France, have granted to us of their good Gree and good Will, in aid of the speed of our

[1] *King of England and of France, and Lord of Ireland, to all to whom these Letters shall come,*

great Business which we have to do, as well on this side the Sea as beyond, the Ninth Sheaf, the Ninth Fleece, and the Ninth Lamb, to be taken by two years next coming after the making of the same, and the [Cities[2]] and the Burgesses of Boroughs, the very Ninth Part of all their Goods; and the Foreign Merchants, and other, which live not of [Gain,[3]] nor of Store of Sheep, the Fifteenth of their Goods lawfully to the Value: We, willing to provide for the indemnity of the said Prelates, Earls, Barons, and other of the Communalty, and also of (*) Citizens, Burgesses, and Merchants aforesaid, will and grant for us and our Heirs, to the same Prelates, Earls, Barons and Commons, Citizens, Burgesses and Merchants, that the same Grant which is so chargeable, shall not another time [be had[5]] in example, nor fall to their prejudice in time to come; nor that they be from henceforth charged nor grieved to make [any[6]] Aid, or to sustain Charge, if it be not by the common assent of the Prelates, Earls, Barons, and other great Men, and Commons of our said Realm of England, and that in the Parliament; and that all the profits rising of the said Aid, and of Wards and Marriages, Customs and Escheats, and other profits rising of the said Realm of England, shall be put and spent upon the Maintenance [and[7]] the Safeguard of our said Realm of England, and of our Wars in Scotland, France, and Gascoign, and in no places elsewhere during the said Wars.

The Subsidy preceding shall not be had in example.

All Charges shall be by common Assent in Parliament.

The Subsidy appropriated to the Safeguard of the Realm, &c.

[2] Citizens of Cities *MS. Tr.* 2.
[3] *Tillage*
[4] the
[5] be had forth
[6] *common*
[7] of

II. *Magna Carta* 25 *Edw. I.* c. 30.

ITEM, Where it is contained in the Great Charter, That all Merchants shall have safe and sure Conduct to go out of our Realm of England, and to come and abide, and go through the Realm of England, as well by Water as by Land, and to buy and sell, paying their [Rights and Customs,[8]] but in the Time of War; We, at the request of the Prelates, Earls, Barons, and Commons, will and grant for us and for our Heirs and Successors, That all Merchants, Denizens and Foreigners, except those which be of our enmity, may without let safely come into the said Realm of England with their Goods and Merchandises, and safely tarry, and safely return, paying the Customs, Subsidies, and other profits reasonably thereof due; so always, that Franchises and free Customs reasonably granted by us and our Ancestors to the City of London, and other Cities, Boroughs, and good Towns of our Realm of England, be to them saved.

Safe-conduct, &c. for Alien Merchants.

Saving for Franchises of Cities and Boroughs.

[8] *rightful Customs*

III. [*Statute III. Hawkins*, &c.] Confirmation of preceding Statute, as to Pardons of Chattels of Felons, &c.

AND also, at the Request of the said Prelates, Earls, Barons, Commons, Citizens, Burgesses, and Merchants, having regard to the Aid which they have granted unto Us in manner aforesaid, We have pardoned and released, and do pardon and release unto them Chattels of Felons and Fugitives, Escape of Prisoners, Fines, Issues, Forfeits, and Amerciaments of Murders, and all manner of Trespasses of the Forest, as well of sowing their ground, as of Vert and Venison, Waste, and other Trespasses whatsoever, done within the Forest, adjudged or to be adjudged, Reliefs and Escuages, until the time of our passage towards Brabant; that is to say, the sixteenth day of July, in the twelfth year of our Reign. And likewise Aids to make our Son Knight, and to marry our Daughter, for all our Time. And likewise We have pardoned and released, and do pardon and release unto them, for us and for our Heirs and Successors, all manner of Debts, Accounts, and Arrearages of Ferms and of Accounts, in any manner due to us, as well of the time of our Progenitors as of our own time, till the beginning of the tenth year of our Reign of England: And We have granted to the said Prelates, Earls, Barons, and Commons, that the Debts determined at the Exchequer before our time, and also the Debts determined at the same Exchequer in our time, of the old Debts due before our time, be extinct, and pardoned, and released for ever; so always that the determinations made of

busoignes queles nous avons a faire, auxi bien de cea la meer come p dela, la noefisme garbe le noefisme tuyson & le noefisme aignel a p̄ndre p deux annz p̄scheins avenir ap̄s la feisance de cestes, & les Citeyns des Citeez, & Burgeys de Burg̃is, la v̄roi noefisme de toutz lour biens, & les marchantz foreyns & au[t]s q̃ ne vivent poynt de gaynerie ne destore des berbiz le quinzisme de lo[r] biens loialment a la value: Nous voillantz p'voier al indempnite des ditz Prelatz, Countes, Barons, & au[t]s de la dite cõalte, & auxint des Citeyns, Burgeys & Marchantz susditz, voilloms & grantoms, p[r] nous & p[r] noz heirs, as mesmes les Prelatz Countes Barouns & cões, Citeyns, Burgeys & marchantz, q̃ ce g[a]nt q̃ est si chargeant ne soit au[t]foitz trette en ensaumple, ne ne chete a eux en p̄judice en temps avenir; ne q̃ eux soient desore chargiez ne grevez de cõe eide faire, ou charge sustenir, si ce ne soit p cõe assent des Prelatz, Countes, Barouns, & au[t]s g[a]ntz & cões de nr̃e dit Roialme Dengletr̃e, & ce en plement; et q̃ touz les p̄fitz sourdantz du dit eide, & des gardes, mariages, Custumes, Eschetes & au[t]s p̄fitz s'dantz du Roialme Dengletr̃e, soient mys & despenduz sur la meintenance de la sauve garde de nr̃e dit Roialme Dengletr̃e, & de nos guerres Descoce, France, & Gascoigne, & null part aillo's, durantz les dites guerres.

Et come y soit contenuz en la g[a]nde ch̃re q̃ toutz marchantz eient sauve & seure conduyt daler hors de nr̃e Roialme [Dengletr̃e,'] & de y venir & dem'er & aler p my le Roialme Dengletr̃e auxibien p t̄re come p ewe, a achatre & vendre, paiantz lour dreit'es custumes forspris en temps de guerre; Nous a la request des ditz Prelatz, Countes, Barouns, & cões, voloms & g[a]ntoms p[r] nous & p[r] noz heirs & successures q̃ touz marchantz denzeins & foreins forspris ceux q̃ sont de nr̃e enemite, puissent sanz estre destourbe sauvement venir en le dit Roialme Dengletr̃e, od lour biens & marchandises & sauvement dem'er & sauvement ret'ner, paiantz les custumes subsidz & au[t]s p̄fites resonablement ent dues; issint toutes foitz q̃ les fraunchises & franches custumes resonablement g[a]ntez p nous & p noz auncestr̃s a la Citee de Loundres, & au[t]s Citees, Burg̃is, & bones villes de nr̃e dit Roialme Dengletr̃e, lour soient sauveez.

Et auxint a la request des ditz Prelatz, Countes, Barons, cões, Citeyns, Burgeys & marchantz, eiant regard al eide qils nous ount grauntez en la ma[n]e susdite, les avons p̄donez & relessez, p̄donons & relessons, chateux des felons & des futifs, eschape des prisones, fines, issues, forfaitz, & am̄cimentz de murdres, totes ma[n]s des trespass de la Forest, auxibien de enbleyour come de v̄t & de veneyson, wast & q̃cumqes au[t]s trespas faitz deinz la Foreste, juggez ou a jugger, releves, escuages, tant q̃ au temps de nr̃e passage dev̄s Brabant, cest assavoir le xvj jo[r] de Juyl Lan de nr̃e regne douzisme. Et auxint eides p[r] faire nr̃e fitz Chivaler & nr̃e file marier p[r] tout nr̃e temps. Et auxint les avoms p̄donez & relessez, p̄donons & relessons, p[r] nouz & p[r] noz heirs & successours, toutes ma[n]es des dettes acomptes & arrerages des fermes & dacomptes a nous dues en quecumqe ma[n]e, auxibien de temps de noz p̄genitours come de nr̃e temps demeigne, tanq̄ au comencement del an de nr̃e regne Dengletr̃e disme: & avoms g[a]ntez as ditz Prelatz, Countes, Barons & cões q̃ les dettes at̄minez al Escheqer avant nr̃e temps, & aussi les dettes at̄minez a mesme Lescheqer en nr̃e temps des aunciens dettes dues avant nr̃e temps, soient anentiz & p̄donez & releissez p[r] touz jours, ensi totes foitz q̃ les at̄minementz faitz des

[a] Interlined on the Roll.

dettes duz a nous, & sourdantz de nře temps demeigne, estoisent en lor force; & q les viscountes, Eschets, ferms des Manoirs, taxours, customs, vittaillers & aus resceivours de noz biens & deners de nře temps q unqore sont en vie, respoignent des biens & deniers queux ils ont levez & resceuz a nře oeps, sanz ceo qils soient en aup mane chargez fors soulement de ce qils ount resceuz; mes q les heirs, executours & tre tenantz de tieux mans des ministers & receivours, q sont mortz, soient quitement deschargez des totes mans dacomptes & dettes, les queux nous pooms demander p cause des leveez & resceites avantdites, tanq, al cōmencement del an disme susdit. Et q ceux q devent a nous dettes dapst, & voillent acompter od nous, q mesme la sōme dapst soit allowe a nous en lour acompt, & st eux charge come chose resceu p nře mein, nient contreesteant lestatut st ce fait en cest psent plement.

Et come les ditz Prelatz, Countes, Barouns & cōes, p'- - grosses busoignes q nous avoms ore entmeyns, nous eient a nře request gntez q no pignoms de chescun sak de leyne q passera outre meer entre cy & la fest de Pentecost pschein avenir, & de meisme la fest tanq, al fest de Pentecost pschein suyant, quarant soldz, & de trois Centz pealx lanutz quarant soldz, & de un last de quirs quarant soldz: Nous pr ceo gunt p assent des avantditz Prelatz Countes Barons & toutz aus assemblez a nře dit plement, avoms gnte q de la dit fest de Pentecost q vendra en un an, nous, ne noz heirs heirs ne demanderoms, ne asserroms ne pndoms nene ferroms pndre plus de custume de un sak de leyne de null Engleys forq, un di marc; & de trois centz pealx lanutz di marc; & de un last des quirs un marc de custume tantsoulement: & doit le sak contenir vynt & sys peres & chescun peer quatorze livres: et q chescun q passera leynes as pties de dela, Engleys ou autre, reseant habitant ou repeiraunt en Engletre, troesse bone & suffisaunt seurte as customs avant son passer, de report de chescun sak de leyne plate dargent, a la value de deux marcs, dedeinz les trois moys q les leynes ensi chargez passeront hors du port; & mesme la plate porte al eschaunge le Roi, & illoeqs resceive ses diners, cest assavoir deux marcs: et q les Customs des portz ou les leynes se chargeront pnont de ceaux en qi noun les leynes sront chargeez, tiele seurte pr quele ils voudront respoundre, de repoter plate en la fourme susdite: et qils ctifient les gardeins des eschaunges le Roi a le Toure de Londs, trois foitz p an, cest assav a la Nativite de Seint Johan le Baptistr, a la toutz seintz, & a la Purificacion de nře dame, des nouns de touz ceux q averont trovez tiele seurte & de nombre des saks qils avont chargiez; & en cas q le dit gardein nava resceu plate en la fourme susdite de ceux dont la ctification lui vendra a la Seint Johan, avant la toutz seintz pschein suyant, adunqs ent ctifiez les Tresorer & Barons del Escheqer & les ditz Tresorer & Barons, resceu la ctification du dit gardein, facent outre tiel pces q la plate soit porte a les eschaunges en la fourme susdite auxibien contre les Customs come contre ceaux q tiel seurte avont trovez & navont pas reporte la plate come desus est dit: & en mesme la mane soit fait a la Purificacion, de ctification faite au dit gardein a la toutz seintz devant; et auxint a la Seint Johan de la ctificacion faite a lui p mesmes les Customs a la Purificacion devant; et ensi de temps en temps as tmes susditz. Et q nul ne cokette leynes forsqe en le noun de celui a qi celles leines sront, & si nulles leynes soient trovez autment cokettez, soient pris en la main le Roi come forfaites. Et coment q plusurs des articles susescritz soient compris deinz lestatut fait en mesme cest plement p cōe assent nient meyns pr monstrer les clerement &

Debts due to Us, and rising of our own time, shall stand in their force; and that the Sheriffs, Escheators, Fermors of Manors, Taxers, Customers, Vitailers, and other Receivers of our Goods and Money in our time, which yet be in life, shall answer of the Goods and of the Money which they have levied and received to our use, without that that they shall be in other manner charged, but only of that that they have received: But that the Heirs, Executors, and Land-tenants of such Ministers and Receivers, which be dead, shall be fully discharged of all manner of Accounts and Debts that We can demand, by occasion of the Levyings and Receipts aforesaid, till the beginning of the tenth year abovesaid. And that such as do owe Us Debts of any Loan, and will account with Us, that the Sum of Loan shall be allowed to Us in their account, and charged upon them as a thing received by our hand, notwithstanding the statute thereupon made in this present Parliament.

IV. The Custom upon Wool and Leather after the Expiration of the Subsidy.

AND Whereas the said Prelates, Earls, Barons, and Commons, for the great business which We have now in hand, have, at our request, granted unto Us that We might take of every Sack of Wool that shall pass beyond sea, between this and the Feast of Pentecost next coming, and from the same Feast until the Feast of Pentecost then next following, forty shillings; and of every three hundred woolfells, forty shillings; and of a last of Leather, forty shillings; We, for this grant, by the assent of the aforesaid Prelates, Earls, Barons, and all other assembled at our said Parliament, have granted, that from the said Feast of Pentecost, in the year following, We nor our Heirs shall not demand, assess, nor take, nor cause to be taken, more custom of a Sack of Wool, of any Englishman, but Half a Mark; and of three hundred Woolfells, Half a Mark; and of a Last of Leather, one Mark of Custom only; and the Sack ought to contain twenty-six stones, and each stone fourteen pounds: and that every Man that shippeth Wools over the sea, Englishman or other, resiant, inhabiting, or repairing in England, shall find good and sufficient surety to the Customers, before his passing, to bring again, of every Sack of Wool, Plate of Silver to the value of two Marks, within the three months after the Wools so shipped shall pass out of the Port; and the same Plate shall bring to the King's Exchange, and there receive his money, that is to say, two Marks: And that the Customers of the Ports where the Wools shall be shipped shall take of them in whose name the Wools shall be shipped, such surety as they will answer for, to bring back Plate in the form aforesaid: And that they shall certify the Wardens of the King's Exchange at the Tower of London three times in the year, that is to say, at the Nativity of St. John the Baptist, at All Saints Day, and at the Purification of our Lady, of the Names of all those who shall have found such surety, and of the number of Sacks which they shall have shipped: And in case that the said Warden shall not have received plate in the form aforesaid, from those of whom a certificate shall come to him at St. John's Day, before the day of All Saints next after, then he shall thereof certify the Treasurer and Barons of the Exchequer; and the said Treasurer and Barons, upon receipt of the certificate of the said Warden, shall issue forth such process as may cause the Plate to be brought to the Exchanges, in form aforesaid, as well against the Customers as against them who shall have found such surety, and shall not have brought back the Plate, as above is said: And in like manner they shall proceed at the Purification upon the certificate made to the said Warden at the All Saints Day before; and likewise at St. John's Day, upon the certificate made to him by the same Customers at the Purification before; and so from time to time at the terms aforesaid. And that none cocket Wools but in the name of him that shall be Owner of the same; and if any Wools be found otherwise cocketed, they shall be taken into the King's hand as forfeit. And albeit many of the Articles above written are comprised in the Statute made in this same Parliament by common assent, nevertheless, in order to shew

Contents of the Sack.

Exporters of Wool shall give Surety to import Silver in Return.

The Duty of Customers, at the Port.

The Duty of the Wardens of the King's Exchange; and of the Treasurer and Barons of the Exchequer.

Cocketing Wools.

them clearly and openly to the great Men and Commons aforesaid, to the end that every one may have knowledge of the graces and acquittances which We have made and granted unto them in this behalf, We have, at the request of the said great Men and Commons, caused them again to be put into these our present Letters Patent.

Given at Westminster, the sixteenth day of April, in the fourteenth year of our reign of England, and the first of our reign of France.

[*Statute V. Hawkins*, &c.] [*Statute IV. Pynson*, &c.]

Statute the Third.

[Edward, By the Grace of God, King of England and France, and Lord of Ireland, to all those which these Letters shall hear or see;'] Greeting. Know Ye, That whereas some People do think, that by reason that the Realm of France is devolved to Us as right Heir of the same, and forasmuch as We be King of France, our Realm of England should be put in subjection of the King and of the Realm of France in time to come; We, having regard to the estate of our Realm of England, and namely (1) that it never was nor ought to be in subjection, nor in the obeisance of the Kings of France, which for the time have been, nor of the Realm of France, and willing to provide for the surety and defence of the (1) Realm of England, and of our liege People of the same; will and grant and stablish for Us, and for our Heirs and Successors, by assent of the Prelates, Earls, Barons, and Commons of our Realm of England, in this our present Parliament summoned at Westminster the Wednesday next after the Sunday in Middle Lent, the Fourteenth Year of our said Reign of our Realm of England, and the First of France, that by the cause or colour of that, that We be King of France, and that the said Realm to Us pertaineth, as afore is said, or that we cause Us to be named King of France in our Style, or that We have changed our [Seal,[4]] or our Arms, nor for the Commandments which we have made, or from henceforth shall make as King of France, our said Realm of England, nor the People of the same, of what Estate or Condition they be, shall not in any time to come be put in subjection nor in obeisance of us, nor of our Heirs nor Successors as Kings of France; [as afore is said, nor be subject[5]] nor obedient, but shall be free and quit of all manner of subjection and obeisance aforesaid, as they were wont to be in the time of our Progenitors Kings of England, for ever. In Witness of which things, [&c.[6]] Dated at Westminster, [&c. the fourteenth year of our Reign of England, and the first of France.[7]]

The Realm and People of England never shall be subject to the Kings of England, as Kings of France.

[1] *The King, to all to whom these Letters shall come;*
[2] to this *MS. Tr.* 2. [3] said [4] Seals
[5] *nor to Us, our Heirs nor Successors, as Kings of France, as afore is said, shall be subject*
[6] *We have to these present Letters put our Seal.*
[7] *the 16th Day of April, in the Years of our Reign of England and France aforesaid.*

[*Statute IV. Hawkins*, &c.] [*Statute, III. Pynson*, &c.]

Statute the Fourth.

Edward, by the Grace of God, [&c.[1]] Greeting. Know Ye, That whereas in the first Article of the Great Charter it is contained, that the Church of England be free, and have all her Rights entirely, and Franchises not blemished; and also in all the whole Establishments made, as well in times of our Progenitors as in our own time, the same Article is often ratified and confirmed: Nevertheless in our Parliament holden at Westminster the Wednesday next after the Sunday of Middle Lent, it is shewed unto us by the Reverend Father in God, John Archbishop of Canterbury, Primate of (2) England, and the other Prelates and Clergy of our Realm, how some Oppressions and Grievances be done in divers

[1] *King of England and of France, and Lord of Ireland, to all to whom these Letters shall come,* [2] all

ordinement as g[a]untez & as cões susditz, ensi q̃ chescun p[r]a avoir conisaunce des g[a]ces & quitances queles nous les avoms fait & g[a]unte en celle ptie, a la request des dit g[a]ntz & cões les avoms fait autrefoith mettre en cestes noz p̃sentes lres ordres. Doñ a Westmonster le xvj jour Daverill, Lan de nře regne Dengleterre quatorzisme, & de nře regne de France primer.

LE Roi a toutz ceux as queux cestes p̃sentez lres vendront, saluz. Sachietz q̃ come ascuns gentz entendont, q̃ p resoñ q̃ le Roialme de France est devolut a nous come droit heriter dycell, & p tant q̃ nous sumes Roi de F[a]nce, nře Roialme Dengleterre droit mys en subjeccion du Roi & du Roialme de France, en temps avenir: Nous eiantz regard a lestat de nře dit Roialme Dengleterre, & meement a ce qele estoit unqes ne devoit estre en subjeccion, nen obeissance des Roys de France, qi p[r] temps ont este, ne du Roialme de France, & voillantz p[r]veer a la seurte & immunite du dit Roialme Dengleterre, et de noz liges gentz dycell; voloms & g[a]ntoms & establissoms p[r] no[o] & p[r] noz heirs & successours, p assent des Prelatz, Countes, Barouns & cões de nře dit Roialme Dengleterre en cest nře p̃sent plement, somons a Westm̃ le Meskerdy p̃schein ap̃s le dymeigne en my Quaresme, Lan de nře regne Dengleterre quatorzisme, & de France primer, q̃ p cause ou colour de ceo q̃ [no[o] [1]] soioms Roi de France, & q̃ le dit Roialme no[o] appartient come desus est dit, ou q̃ no[o] nous fesoms nomer Roi de France en nře estile, ou q̃ no[o] avoms change noz sealx, ou noz armes, ne p[r] mandementz q̃ nous avoms fait ou ferroms desore enavant come Roi de France, nře dit roialme Dengleterre, ne les gentz dycell de quel estat ou condicion qils soient ne soient en nul temps avenir mys en la subjeccion, ne obeissance de nous noz heirs ne successours come Roys de France, ne a nous noz heirs ne successours come Roys de F[a]nce, come desus est dit, soient suggitz ne obeisantz, einz soient fraunches & quites des totes mañs de subjeccion & obeissance desus dites come ils soleient estre en temps de noz p̃genitours Rois Dengleterre a toutz jours. En tesmoignance de quele chose a cestes p̃sentes lres avoms mys nře seal. Doñ a Westm̃ le xvj. jour Daviñ, les annz de nře regne Dengleterre et de France susdit.

[1] Interlined on the Roll.

Ex mag. Rot. Stat. in Turr. Lond. m. 20.

Edward p la g[a]ce de Dieu Roi Dengleterre & de Franche, & Seign[r] Dirlaunde, as toutz ceux as queux cestes lres vendront, saluz. Sachiez q̃ come en le primer article de la g[a]nt chre soit contenu q̃ Lesglise Dengleterre soit fraunke, & eit totes ses droit[r]es entiers & ses franchises nient blemiz; et aussi en tut plein des establissementz faitz auxibien en temps de noz p̃genitours come en nře temps, si est mesme larticle sovent ratifie & afferme; ne p[r]q[a]nt en nře plement tenuz a Westm̃ le Meskerdy en my quaresme, si nous est monstre p Lon[r]able piere en Dieu J. Erceves̃q, de Cant̃birs, Primat de tote Engleterre, les aut̃s Prelatz & le Clerge de nře roialme, coment ascuns opp̃ssions & grevances sont faites en diṽs mañes, p

An° xiiij°.

ascuns [noz [1]] ministres, as gentz de seinte Eglise, countre lor fraunchises la g̃nt chre, & les establissementz avantditz, les quelles oppressions ils mistrent en peticion, en priant sr ceo remedie: p quoi no, veue & regarde lor dite peticion, & sr ceo eu deliberacion ovesq̃ les pieres de nre Roialme, & autres de nre conseil & du roialme somons a nre dit plement, & eant regarde a la g̃nt chre, & autres establissementz susditz, & a la requeste des ditz Prelatz & Clerge, qi molt nous ount eide & de jor en autre le fount, p acord & assent des ditz peres, & de toutz autres somons & esteantz en nre dit plement, si avoms g̃nte & g̃ntons pr nous & pr noz heirs & successours, as ditz Prelatz & Clerge, les choses desouthescriptes pptuelment adurer; cest assavoir q̃ nul dep no ne dep autre, p cõmission du g̃nt seal ne du petit, ne sanz cõmission, ne pigne riens des bledz, feyns, bestes, cariages, nautres biens des Ercevesqes, Evesqes, Abbees, Priours, Abbesses, Priouresses, psones, vikers, ou dautres gentz de Seinte Eglise, dedeinz lor mansions, manoirs, granges ou autres lieux, dedeinz le fee de Seinte Eglise ne dehors, contre le gree & la volonte de ceux as queux les biens sront; & defendons q̃ desore nulle tiele cõmission, desouthe le g̃nt seal ne le petit en nulle manre ne isse a nulle tiele prise faire; qar nous pnons les les ditz Prelatz & Clerge lor possessions, biens & chatelx, en especiale pteccion & defense de nous & de noz heirs. Et aussi g̃ntons pr no & pr noz heirs, q̃ no ne chargerons desore en avant null des ditz Prelatz ne du Clerge, ne lor maisons de retenir ostages ne sojornantz Descoce ne dautre pais, ne noz Chivalx, ne chiens, faucons ne autres oysealx de noz ne dautri, contre lor gree & volente; sauvant a nous totes foitz les svices q̃ nous sont dues de droit, de ceux q̃ nous deivent le svice de sustenir & retenir chiens, chivalx et oysealx.

Et pr ceo q̃ p cause des temporaltez esteantz en nre main, ou en le main de noz auncestres p reson des Erceveschees, Eveschees ou autres Prelacies voides, & aussi p cause des autres tres, teñz, feez & avoesons, esteantz en nre main, ou en le main de noz auncestres, p nounage des heirs, si ad este use avant ceste houre q̃ excepcion de plenertee ne ne tient pas lieu devs no, ne devs auscun de noz auncestres, nient plus en cas la ou tieux psentementz nous furent devolutz en autri droit, q̃ sils neussent este en nre droit demesne, ou en le droit de nre coronne, p quoi moltz des psouns & pvendres si furent oustez de lor eglises pvendes & benefices, les queux ils avoient tenuz de g̃nt temps, a g̃nt meschief & empovissement de eux; si voloms & g̃ntoms pr no & pr noz heirs pr tieux meschiefs ouster, q̃ desorenavant nous ne noz heirs ne ne ferroms collacion ou psentement a eglise pvendre chapelle ou autre benefice, p cause de tieux voidances des Prelacies, ou des tres des enfauntz deinz age, ou autres venuz ou a venir en nre main, ou en la main de noz heires, si nous ou noz heirs ne faceoms noz collacions ou psentementz, dedeinz les trois annz aps q̃ tieux benefices ensi se voideront de fait; et q̃ des tieux eglises & autres benefices des queux clercs sont en possession, & ont eu possession p un an avant la feisance de cest estatut, nous ne noz heirs ne eioms accion ne reson a psenter as tielx benefices ensi pleins. Et ne volons q̃ nul home soit tenuz a respoundre a brief de Quare impedit pris en nre noun en tieu cas, si la collacion ou psentement ne ne soit fait deinz les trois anns aps la voidance come est susdit. Et des tieux voidances avenuz en temps de noz auncestres, nene soit desore nulle collacion ou psentement fait p nous, ne p noz heirs; einz de accion pndre de tieux voidances si en soioms de tut quitement forclos.

[1] Interlined on the Roll.

Manners by some of our Servants, to people of Holy Church, against [the Franchise of [1]] the Great Charter and the Establishments aforesaid, which Oppressions they shew in Petition, praying upon the same Remedy: Wherefore We, their Petition seen and regarded, and thereupon deliberation had with the Peers of our Realm, and other of our Council and of the Realm summoned to our said Parliament, and having regard to the Great Charter, and to other Statutes aforesaid, and at the request of the said Prelates and Clergy, which have much aided us, and daily do, by the assent and accord of the said Peers, and of all other summoned and being in our said Parliament, have granted and do grant for us and our Heirs and Successors, to the said Prelates and Clergy, the things underwritten perpetually to endure:

[1] *their Franchises*

I. Purveyance of the Goods of Spiritual Persons.

FIRST, That none by us, nor by other [2] Commission of the Great Seal, nor of the Small, nor without Commission, shall take nothing of Corn, Hay, Beasts, Carriage, nor other Goods of Archbishops, Bishops, Abbots, Priors, Abbesses, Prioresses, Parsons, Vicars, or of other People of Holy Church, [3] nor without, against the agreement and will of the Owners of the same Goods. And We do defend, that from henceforth no such Commissions under the Great Seal, nor the Small, shall in anywise go forth for any Prises to be made: for We do take the said Prelates and Clergy, with their Possessions, Goods and Cattailes, into our especial Protection and Defence. Also we grant for us and our Heirs, that we shall not from henceforth charge any of the Prelates or Clergy, nor their Houses to receive [Guests,[4]] nor Sojourners of Scotland, nor of other Country, nor our Horses nor Dogs, Falcons, nor other [Hawks [5]] of ours, nor others against their Gree and Will; Saving always to us the Services which be due to us of right, of them which owe to us the same Services, to sustain and receive Dogs, Horses, or [Hawks.[5]]

The Clergy shall not be charged with Hostages, Horses, or Dogs.

[2] by [3] within their Houses, Manors, Graunges, nor other places within the Fee of Holy Church,
[4] Hostages *MS. Tr.* 2. [5] Birds *MS. Tr.* 2.

II. Presentment to Churches made by the King in another's Right.

ITEM, Because of the Temporalties being in our hands, or in the hands of our Ancestors, by reason of Archbishopricks, Bishopricks, or other Prelacies void, and also because of other lands, tenements, fees, and advowsons being in our hands and in the hands of our Ancestors, by nonage of Heirs, it hath been used before this time, that exception of Plenarty should hold no place against us, nor against any of our ancestors, no more in case [6] such Presentments should be devolute to us in another's right, than if they had been in our own right, or in the right of our Crown, whereby many Parsons and Prebendaries were out of their Churches, Prebends, and Benefices, which they had long time holden, to their great mischief and impoverishment: We will and grant for us and for our heirs, to avoid such mischiefs, that from henceforth we nor our heirs shall not make Collation or Presentment to any Church, Prebend, Chapel, or other Benefice, by the occasion of such Voidances of Prelacies, or of the lands of Infants within age, or of others, come or to come in our hands, or in the hands of our heirs, if we or our heirs do not make our Collations or Presentments within three years after that such Benefices do so of deed become void; and that of such Churches and other Benefices, of which Clerks be in possession, and have had possession by a year before the making of this Statute, We nor our heirs shall have none action nor reason to present to such Benefices so full. And we will not that any man be holden to answer to any Writ of Quare Impedit taken in our name in such case, if the Collation or Presentment be not made within iii years after the Voidance as afore is said. And of such Voidances come in the time of our Ancestors, no Collation nor Presentment shall be from henceforth made by us nor by our heirs; but of any Action to take of such Voidances we be wholly and quitely foreclosed.

The King shall not present in another's Right but within Three Years after Avoidance.

[6] where

III. Ecclesiastical Temporalties shall not be seised without Cause.

ITEM, We will and grant for Us and for our Heirs, that from henceforth We nor our Heirs shall not take, nor cause to be taken into our hands, the Temporalties of Archbishops, Bishops, Abbots, Priors, or other [People of Holy Church,[1]] of what estate or condition they be, without a true and just Cause, according to the law of the land, and judgement thereupon given.

[1] Not in Original, nor in MS. Tr. 2.

IV. Escheators, &c. shall keep Temporalties without doing Waste.

ITEM, Because that in the petition of the said Prelates and Clergy it is contained, that Escheators and other Keepers, in the time of vacation of Archbishopricks, Bishopricks, and other Prelacies, have done great waste and destruction in the same in time past; We will and grant for Us and for our Heirs, that at all times from henceforth, when such voidances shall happen, that our Escheators, and the Escheators of our Heirs, which for the Time shall be, shall enter, and cause to be well kept the said Voidances, without doing waste or destruction in the Manors, [Warrens,[2]] Parks, Ponds, or Woods; and that they sell no Underwood, nor hunt in the Parks or Warrens, nor fish in Ponds, nor free Fishings, nor shall rack nor take Fines of the Tenants, free nor bond; but shall keep and save as much as pertaineth to the said voidances, without [doing harm[3]] or any manner of oppression. And if the Dean and Chapter of Churches Cathedral, Priors, Subpriors, Prioresses, Subprioresses, and Covents of Prelacies, Abbies, or Priories, whose voidance pertaineth to us and our Heirs, will render to us and our Heirs the value of the said voidance, as other will reasonably yield, then the Chancellor and Treasurer shall have power to let (*) the said Dean and Chapter, Prior or Subprior, Prioress or Subprioress, and Covent, the said voidances by good and sufficient surety, so that they shall have the same before all other, yielding to Us the value of them, according as shall be found by Remembrances of the Exchequer, or by Inquest to be taken upon the same, if need be, without making fine. And in case they will not accord to yield to the value, nor find such Surety, then the Chancellor and Treasurer shall cause to be ordained the good preservation of such voidances by Escheators, or other sufficient Keepers, to answer the King of that to him pertaineth reasonably, without doing waste or destruction, or other thing which may turn in disherison of the Churches whereof such voidances shall happen.

Deans and Chapters, Priors, &c. shall have Option of farming their Temporalties.

[2] Not in Original; nor in MS. Tr. 2.
[3] there doing damage *MS. Tr.* 2. [4] to

V. Chancellor, Treasurer, and others of the Council empowered to let the Temporalties of Bishops, &c.

ITEM, Wholly to shew the affection and good will which We have, that that pertaineth to God and Holy Church be safely kept without waste or destruction, or impeachment [to be made thereof[5]] by us or our Ministers, we will, and by these present Letters do grant full power to our said Chancellor and Treasurer, which taking to them other of our Council, such as to them shall seem best to be taken, by good Information of Remembrances of the Exchequer, and other Informations, as to them shall seem best, shall let the vacations of Archbishopricks, Bishopricks, Abbacies, Priories, and other Houses, whose [Voidances[6]] pertaineth unto us, to the Dean and Chapter, Prior or Subprior, Prioress or Subprioress, and Covent, to yield a certain of every voidance by the Year, Quarter, or Month, during the vacations, according as to them shall seem best, without making any fine; so that no Escheator nor other Minister, in the time of Vacations, shall have Cause (7) to enter, or meddle to do any thing which shall be in prejudice of the Churches whereof such voidances shall happen: Saving to Us and to our Heirs the Knights Fees, Advowsons of Churches, Escheats, Wards, Marriages, Reliefs, and Services of the said Fees.

Rent shall be reserved without Fine.

Saving of Knights-Fees, &c. to the King.

In Witness whereof We have made these our Letters Patents. Dated at Westminster the sixteenth of April, the fourteenth Year of our Reign of England and the first of France.

[5] Not in Original.
[6] Voidance [7] nor matter

Et voloms & g^{a}ntons, p^{r} nous & p^{r} noz heirs, q̃ desorenavant nous ne noz heirs ne p̃ndrons, nene ferrons p̃ndre en nr̃e main, les temporaltez des Ercevesqes, Evesqes, Abbees, Prio^{rs} ou dau^{rs} de quel estat ou condicion qils soient, sanz p̃roie & jouste cause, selonc ley de t̃re & juggement s^{r} ceo la done.

Et p^{r} ceo q̃ en la peticion des ditz Prelatz & Clerge, si est contenu q̃ Eschet^{rs} & au^{rs} gardeins, en temps des voidances des Erceveschees, Eveschees & au^{rs} Prelacies, si ont fait g^{a}nt wast & destruccion cea en arere; si volons & g^{a}ntons, p^{r} nous & p^{r} noz heirs, q̃ a totes les foith q̃ tieux voidances desorenavant avendront, q̃ noz Eschetours, & les Eschetours de noz heirs q̃ p^{r} temps ꝺront, entrent & facent bien garder les dites voidances, sanz faire wast ou destruccion en Manoirs, Parks, viꝺs ou boys; & qils ne vendent suthbois nen chacent en Parks nen warennes, nen peschent viꝺs ne franches pescheries, ne ne gersonent ne p̃nont fins des tenauntz, fraunks ne bondes; einz facent garder & salver q^{a}nq̃ appent a les dites voidances, sanz y faire damage ou auscun mal̃e des opp̃ssions. Et si Dean & Chapitre des Eglises Cathedrales, Priours, suppriours, Prioresses, suppriouresses & Coventz des Prelacies, Abbeies, ou Priouries, des queux la voidance atient a nous & a noz heirs, voillent rendre a nous & a noz heirs la value des dites voidances aussi come au^{rs} nous voillient rendre resonablement, adonq̃s eient Chanceller & Tresorer poair de lesser, as ditz Dean & Chapitre, Priour ou Suppriour, Prioresses, Suppriouresses & Covent, les dites voidances p̃ bone & suffisante seurete, ensi qils les eient devant toutz au^{rs}, rendant a nous la value, selonc ceo q̃ ꝺra trove p̃ remembraunce de Lescheqer, ou p̃ enquest s^{r} ceo a p̃ndre si mestir soit, saunz fin faire. Et en cas qils ne se voillent acorder a rendre la value, ne a trover tiele seurete, adonq̃s Chancell & Tresorer facent ordiner la bone garder de tieux voidances p̃ Eschetours, ou au^{rs} gardeins suffisantz p^{r} respondre au Roi de ceo q̃ a lui attient resonablement, saunz faire wast ou destruccion, ou autre chose q̃ p^{r}a tourner a desheritance des eglises, dont tieux voidances avendront.

Et p^{r} entierement monstrer laffeccion & volente q̃ nous avons, q̃ ceo q̃ apptient a dieux & a seinte eglise soit sauvement garde, sanz wast, destruccion, ou empechement de no^{9} ou de noz ministres; si voloms, et p̃ cestes noz p̃sentes ℔es g^{a}ntons, plein poair a nr̃e Chanceller & Tresorer, q̃ pris a eux au^{rs} de nr̃e conseil tieux come ils verront q̃ fount ap̃ndre p̃ bone informacion des remembrances del Escheqer, & au^{rs} informacions tieux come meltz lo^{r} semblera, si lessent les vacacions des Erceveschies, Eveschies, Abbeies, Priories & au^{rs} maisons dont la voidance a no^{9} apptient, as Dean & Chapitres, Priours ou suppriours, Priouresses ou suppriouresses, & Coventz a ceein, a rendre de chescun voidance, p̃ lan, quar^{t}, ou moys, durantes les vacacions, selonc ceo q̃ mieltz lo^{r} semblera, sanz fyn faire; si q̃ nul Eschetour ou autre ministre en temps de vacacion neit cause ne matire dentrer, ou de se medler a faire rien q̃ soit en p̃judice des Eglises dont tieux voidances avendront: Sauvez a nous & a noz heirs fees des Chivalers, avoesons des esglises, eschetes, wardes, mariages & relefes & ꝺvices des ditz fedz.

En tesmoignance de quele chose a cestes p̃sentes ℔es avons mys nr̃e seal. Do^{n} a West^{m} le xvj jour Da^{v}ril, lan de nr̃e regne Dengle^{t}re quatorzisme & de nr̃e regne de France primer.

Anno 15° EDWARDI III. A.D.1341.

Ex magno Rot. Stat. in Turr. Lond. m. 19.

Mem^d qđ istud Statutū revocatū est p dñm Regē ut patet p tenorē cujusdā brīs irrotulati in dorso istius rotuli.

A° xv°.

NOSTRE Seygn^r le Roy Edward tierz aps le conquest, a son plement tenutz a Weistmonstier a la quinseyne de Pasche, lan de son regne quinsisme, desirant q̄ la pees de la tre & les leis & les estatutz avant ses houres ordeines soient gardes & meintenus en toutz pointz, al honour de dieux & de seint esglise & al comū pfit du poeple, p assent des Prelatz, Countes & Barouns & autres g^antz & de tote la cōe du Roialme Dengletre al dit plement somonz, ordeina & establist en mesme le plement les articles southescriptes, les queux il voet & g^ante p^r luy & p^r ses heires qils soient fermementz gardez & tenutz a toutz jours.

En p^mes est acorde & assentu, qe la fraunchise de seint esglise & la G^ant Chartre & la Chartre de la Forest, & les autres estatutz faites p nr̄ dit seign^r le Roy & ses pgenitours, Piers & la cōe de la tre, p^r cōun pfit du poeple, soient fermementz gardez & maingtenuz en toutz pointz. Et si rienz desore soit fait countre la G^ant Chartre & la Charter de la Forest soit desclare en pschein plement, & p les Piers de la tere duementz redressez. Et si nul de quele condicion qil soit rienz face al encountre, estoise al jugement des pieres en pschein plement, et issint de plement en plement, auxibien des fraunchises usees come de icelles q̄ tront ore g^antez. Et qe les fraunchises g^antes p nr̄ seygn^r le Roy ou ses pgenitoures, a seinte esglise, as pieres de la tre, a la Citee de Loundres, & as autres Citees & Borgtis, & a ceux de cink portz, & a la cōe de la tre, & toutz lour fraunchises & fraunches custumes soient maintenuz en toutz pointz, s^antz rien faire al encontre. Et qe briefs demaundez dav allowaunce des chartres, fraunchises & custumes, & chartres des pdouns de dettes, & de toutes autres choses g^antez p le Roi & p ses pgenitours av^t ses houres, soient fraunchementz g^antez, santz desturbaunce devant quecumqes Justices ou autres Ministres, ou il busoigne davoire allowaunce, et soient faites quites en le Escheker & aillours.

Item p^r ceo q̄ avant ses houres, Piers de la tre ount este arestutz & emp^lsonnez, & lour tempaltes tres & tenementz, biens & chateux, seisis en mains des Rois, et ascunes mys a la mort, santz jugement de lour Piers, Acorde est & assentuz q̄ nul pes de la tre, Officer ne autre, p cause de son office ne des choses touchauntz soun office, ne p autre cause, soit menez en jugement, a pte de lour tempaltez, tres, tenementz, biens & chateux, ne estre arestutz, nemp^sones, utlagez, exulez ne forsjugez, [ne respoundre,[1]] ne estre jugez sinoun [p[2]] agarde des dites pes en plement. Sauvez totefoitz a nr̄ seign^r le Roi & a ses heires, en autres cas, les leis dreiturelment usees & p due pces, & sauvee auxint seute des pties. Et si p cas nul pes de soun gree voille aillo's respoundre ou estre jugez forsqen plement, qe cella ne tourne en pjudise des autres pes, ne a lui mesmes en autre cas; forpris si nul des piers soit viscount ou fermer de fee, ou ad este officer, ou eit resceu dens ou autres chateux le Roi, p cause de quele office ou reseite il est tenutz dacompter, qe mesme celuy acompte p luy ou soun atturne es lieus acustomes; Issint qe les pdouns eins ses houres faites en plemēt se tiegnent en lour force.

[1] { ne ne deivent respoundre *Rot. Parl.* 15 *Ed. III. nu.* 7. / *Rot. Parl.* 15 *Ed. III. nu.* 51. reads as the Text. / *Old Printed Copies* read "ne mys a respoundre."

[2] Interlined on the Roll.

STATUTE THE FIRST.

OUR Sovereign Lord King Edward, the Third after the Conquest, at his Parliament holden at Westminster at the xv. of Easter, desiring that the peace of his land, and the Laws and Statutes before this time ordained, be maintained and kept in all points, to the honour of God, and of Holy Church, and to the common profit of his People, by assent of the Prelates, Earls, Barons, and other great men, and of all the Commonalty of the Realm of England, summoned to the said Parliament, hath ordained and stablished in the same Parliament, the Articles underwritten, which he will and grant for him and for his Heirs, that they be firmly kept and holden for ever.

Be it Remembered, that this Statute was revoked by our Lord the King; as appears by the Tenor of a certain Writ enrolled on the Back of this Roll.

I. Confirmation of the Great Charters; and of former Statutes and Grants of Franchises.

FIRST, It is accorded and assented, That the Franchise of Holy Church, and the Great Charter, and the Charter of the Forest, and the other Statutes made by our said Sovereign Lord the King and his Progenitors, Peers, and the Commons of the Land, for the common profit of the People, be firmly kept and maintained in all points. And if any thing be from henceforth made against the Great Charter, and the Charter of the Forest it shall be declared in the next Parliament, and by the Peers of the Realm it shall be duly redressed. And if any, of what [Estate or] Condition he be, do any thing to the contrary, (1) shall stand to the judgement of the Peers in the next Parliament, and so from Parliament to Parliament, as well of franchises used, as of them which shall be now granted; (2) by our Sovereign Lord the King, or his progenitors, to Holy Church, to the Peers of the land, to the City of London and to other Cities and Boroughs, and to them of the Five Ports, and to the Commons of the Land, and all their franchises and free Customs shall be maintained in all points, without any thing doing to the contrary. And that the Writs demanded to have allowance of Charters, of Franchises and Customs, Charters of Pardons, of Debts, and of all other things granted by the King, and by his Progenitors before this time, be freely granted without disturbance before all manner Justices, or other Ministers where it needeth to have allowance, and they shall be made quite at the Exchequer, or elsewhere.

II. The Peers of the Realm shall be tried in Parliament.

ITEM, Whereas before this time the Peers of the Land have been arrested and imprisoned, and their Temporaltics, Lands and Tenements, Goods and Cattels, asseised in the King's hands, and some put to death without judgement of their Peers: It is accorded and assented That no Peer of the Land, Officer nor other, because of his Office, nor of things touching his Office, nor by other cause shall be brought in judgement to lose his Temporalties, Lands, Tenements, Goods and Cattels, nor to be arrested, nor imprisoned, outlawed, exiled, nor forejudged, nor put to answer, nor to be judged, but by award of the said Peers in the Parliament. Saving always to our Sovereign Lord the King, and his heirs in other cases the laws rightfully used, and by due process, and saved also the Suit of the Party. And if percase any Peer will, of his agreement, elsewhere answer or be judged, but in the Parliament, that the same shall not turn in prejudice of the other Peers, nor of himself in any other case; except if any of the Peers be Sheriff or Fermer of Fee, or hath been Officer, or hath received Money, or other Cattels of the King, because of which Office or Receipt he is bound to accompt, that the same shall accompt by himself or by his Attorney in places accustomed; so that the Pardons before this time made in the Parliament, shall stand in their force.

[1] *he*

[2] and that the franchises granted *MS. Tr.* 2.

III. If any be arrested, &c. contrary to the Great Charter, the Offenders shall answer in Parliament.

ITEM, Because that the points of the Great Charter be blemished in divers manners, and less well holden than they ought to be, to the great peril and slander of the King, and damage of his People, especially inasmuch as Clerks, Peers of the Land, and other free Men be arrested and imprisoned, and out of their Goods and Cattels, which were not appealed nor endited, nor suit of the Party against them affirmed: It is accorded and assented, That from henceforth such things shall not be done. And if any Minister of the King, or other Person, of what condition he be, do or come against any point of the Great Charter, or other Statutes, or the Laws of the Land, he shall answer in the Parliament as well at the King's Suit, as at the Suit of the Party, where no remedy nor punishment was ordained before this time, as far forth where it was done by Commission or Commandment of the King, as of his own authority, notwithstanding the Ordnance made before this time at Northampton, (1) by assent of the King, the Prelates, Earls, Barons, and the Commonalty of the Land, in this present Parliament is repealed and utterly adnulled. And that the Chancellor, Treasurer, Barons, and Chancellor of the Exchequer, the Justices of the one Bench and of the other, Justices assigned in the Country, Steward and Chamberlain of the King's House, Keeper of the Privy Seal, Treasurer of the Wardrobe, Controllers, and they that be chief deputed to abide nigh the King's Son Duke of Cornwall, shall be now sworn in this Parliament, and so from henceforth at all times that they shall be put in Office, to keep and maintain the Privileges and Franchises of Holy Church, and the points of the Great Charter and the Charter of the Forest, and all other Statutes, without breaking any point.

Chancellor and other great Officers shall be sworn to maintain the Laws, &c.

IV. How such Officers shall be appointed, and answerable in Parliament.

ITEM, It is assented, That if any of the Officers aforesaid, or Controllers, or Chief Clerk in the Common Bench, or in the King's Bench, by death or by other cause be out of his Office, that our Sovereign Lord the King, by the accord of the great Men, which shall be found most nighest in the Country, which he shall take towards him, and by the good counsel which he shall have about him, shall put another convenient in the said Office; which shall be sworn after the form aforesaid. And that in every Parliament, at the third day of the same Parliament, the King shall take in his hands the Offices of all the Ministers aforesaid, and so shall they abide four or five days; except the Offices of Justices of the one Place or the other, Justices assigned, Barons of the Exchequer; so always that they and all other Ministers be put to answer to every complaint; and if default be found in any of the said Ministers, by complaint or other manner, and of that (2) be attainted in Parliament, he shall be punished by judgement of the Peers, and put out of his Office, and another convenient put in his place. And upon the same our said Sovereign Lord the King shall do to be pronounced [to make [3]] execution without delay according to the judgement of the said Peers in the Parliament.

V. Usurers.

ITEM, It is accorded and assented, That the King and his Heirs shall have the conisance of the Usurers dead; and that the Ordinaries of Holy Church have the conisance of Usurers on life, as to them appertaineth, to make compulsion, by the censures of Holy Church for the Sin, to make restitution of the [Usurers [4]] taken against the Laws of Holy Church.

VI. Ecclesiastical Jurisdiction confirmed.

ITEM, It is accorded, That the Ministers of Holy Church for Money taken for redemption of corporal Penance, nor for prove and account of Testaments, or for Travail taken about the same, nor for solemnity of Marriage, nor for other things touching the jurisdiction of Holy Church, shall not be impeached nor arrested, nor driven to answer before the King's Justices nor other Ministers; and thereupon the Ministers of Holy Church shall have Writs in the Chancery to the Justices and other Ministers at all times when they the same will demand.

[1] which *MS. Tr.* 2. [2] he *MS. Tr.* 2. [3] *and made*

[4] Usuries

Item p[r] ce q̃ les pointes de la G[a]nt Chartre sount blesmys en moutz maneres, et meinz bien tenuz qestre ne deussent, a g[a]nt pile & esclaundre du Roi & damage de son poeple; especialment en taunt q̃ Clers, Piers de la ℞re, & autres frans hõmes sount arestutz & emp[i]sones, & de lour biens & chateux houstez, queux ne furent appellez nenditez, ne seute de ptie devs eux affermez; acordez est et assentuz, qe desore tieles choses ne soient faites. Et si nul les face, Ministre le Roi ou autre psone de quele condicion qil soit, ou viegne contre nul point de la G[a]nt Chartre, autres estatuz ou les leis de la ℞re, respoigne en plement, auxibien a la seute le Roi come a seute de ptie, la ou remedie ne punisement ne fuit ordeine avant ses heures, tant avant ou il le fait p Cõmission ou comandement du Roi, come de sa autorite demeisne; nient contresteante lordenaunce avant ses houres fait a Norh[a]mpton, la quele p assent du Roi, Prelatz, Countes, & Barouns, & la Cõe de la ℞re, cy en ce plement est repelle & de tut anienty. Et qe le Chauncelle, Tresorer, Barouns & Chaunceller de Escheker, Justic̃ del un banc & del autre, Justic̃ assignez es pays, Seneschal et Chamberlein del hostiel le Roi, Gardein del p[i]vee seal, Tresorer de la Garderobe, Countreroulour, & ceux qe sount chiefs deputez a demorer pres du fuitz le Roi Duk de Cornewaille, soient ore Jureez en ce plement, & issint desore a toutes les foiths qils ℞ront mys en office, de garder & myntenir les p[i]vileges & les fraunchises de seint esglise, les pointes de la G[a]nt Chartre, Chartre de la Forest, & toutz les autres estatutz sauncz nul point enfreindre.

Item assentu est q̃ si nul des officers avantditz, ou countreroulour, ou chief clerc en cõe banc ou en baunc le Roi, p mort ou p autre cause soit houste de son office, q̃ nr̃ seygn[r] le Roi, p acord des g[a]ntz q̃ ℞ront trovez plus pres en pais, les queux il ℘ndra devers luy, & p le bon conseil qil avera entour luy, mettera autre covenable en le dit office, q̃ ℞ra juree solonc la forme avantdite. Et qe a chescun plement, al tiercz jour de mesme le plement, le Roi ℘ndra en sa main les offices de toutz les Ministres avantditz, et issint demoergent quatre ou cink joures, forspris les offices des Justic̃ del un place & del autre, Justic̃ assignez, & Barouns del Escheker; issint totesfoiths qe ceux & toutz autres Ministres soient mys a respoundre a chescuny pleinte; et si defaute soit trove en ascunes des dites Ministres, p pleint ou en autre mañe, et de ce soit atteint en plement soit puny p jugement des pes, & houstes & autre covenable mys en son lieu. Et sur ce nr̃e dit seygn[r] le Roi ferra ꝓnuncier & faire execucion saunz delay, solonc le jugement des [ditz [1]] pes en plement.

Item acorde & assentuz est qe le Roi & ses heires eient la conisaunce des usereres mortz; & q̃ les Ordinares de seinte esglise eient la conisaunce des usereres vifs, desicome a eux attient, faire compulsioun p censures de seint esglise p[r] le pecche, de faire restitucion des usures p[i]ses contre la lei de seinte esglise.

Item acorde est q̃ les Ministres de seinte esglise pur dñs p[i]ses p[r] redempcion de corporele penaunce, ne p[r] proeve [& [2]] acõpte des testamẽtz, ou pur travaille entour ceo mys, ne pur solempnete des esposailles, ne pur autre cause touchaunte la jurisdiction de seinte esglise, ne soient apeschez ne aresonez ne chacez a respoundre devant les Justic̃ le Roi ne ses autres ministres. Et sour ceo eient les Ministres de seinte esglise briefs en la Chauncellerie, a les Justicez & autres ministres, totes les foiths qils les demanderũt.

[1] [2] Interlined on the Roll.

Ex magno Rot. Stat. in Turr. Lond. m. 19, *d.* *

Revocacio Statuti infrascripti.

R. Vic Lincoln̄ salt̄m. Cum in pliamento nr̄o apud Westm̄, in quindena Pasche px̄ pt̄ita convocato, quidam articuli, legib3 & consuetudinib3 regni nr̄i Angl ac jurib3 & progativis nr̄is regiis expresse contrarii, ptendant' p modū statuti p nos fuisse concessi; Nos considerantes qualit̄ ad observac̄oem & defensionē legū, consuetudinū, juriū & progativaz hujusmodi astricti sum9 vinculo juramenti, & pvide volentes ea que sic fiunt impvide ad statū debitū revocare, sup hoc cū Comitib3 & Baronib3, ac pitis aliis dci regni nr̄i consiliū huim9 & tractatū; et quia edic̄oi dc̄i statuti ptensi numq'm consensim9, set pmissis ptestac̄oib3 de revocando dc̄m statutū, si de fco pcederet, ad evitand picula que ex ip̄ius denegac̄oe tunc timebant' pvenire, cū dc̄m pliamentū alias fuisset sine expedic̄oe aliqua in discordia dissolutū, & sic ardua nr̄a negocia fuissent quod absit visimilit̄ in ruina, dissimilavim9 sicut oportuit, & dc̄m ptensū statutū sigillari pmisim9 illa vice, videbat' dc̄is Comitib3, Baronib3 & pitis, qd ex quo dc̄m statutū de voluntate nr̄a g'tuita non pcessit, nullū erat, & qd nomen vel vim statuti here non deberet. Et ideo dc̄m statutū de ip̄oz consilio & assensu, decrevim9 esse nullū, & illud quaten9 de fco pcessit, duxim9 adnullandz; volentes tamen qd articuli in dc̄o statuto ptenso contenti, qui p alia statuta nr̄a vel pgenitoz nr̄oz Regū Angl sunt prius approbati, juxta formam dc̄oz statutoz in omnib3 put convenit observent' & hoc solū ad conservac̄oem & rēdintegrac̄oem juriū corone nr̄e facim9, ut tenem', non autē ut subditos nr̄os, quos in mansuetudine reg3e cupim9, opprimam9 aliqualit̄ vel g'vem9. Et ideo tibi pcipim9 qd hec om̄ia in locis infra ballivā tuam ubi expedire videris publice fac̄ pclamari. T. R. apud Westm̄ p'mo die Octob̄ anno quintodecimo. p ip̄m Regem et cons̄.

Ex magno Rot. Stat. in Turr. Lond. m. 19, *d.*

FAIT a remembrer, de les condicions q̄ les g'ntz & la Cōe demandent, p' le g'nte qils ferront a nr̄e Seign' le Roi, p' la noefisme Aignel Toison & Garbe del an seconde.

Primes ceo q̄ est quilli & levee de les xx^ml sacs de leine, autrefoitz grantez a nr̄e Seign' le Roi, en manere davoire recompensacion de ycele de la noefisme del an second, soit recoupe & allowe es Countees ou les leines sont leveez, & les psones paiez & les cōmissions de xx^ml sacs repellez.

Item q̄ les Toisons & Agnels, de cest second an levees, soient acomptez devant ceux q̄ sront deputez a les dites leines quiller, q̄ soient bones gentz & loiaux du pais. Et q̄ la value des dites Agnels & Toisons levees soit recoupe & allowe, en le noumbre des sacs ore g'ntez. Et q̄ le remenant de trois choses a quiller, de cest second an, ne soit rienz leveez einz de tut relessez; & s' ceo soient hres patentes souz le g'nt seal livez as Chivalers des Counteez, saunz rien paier.

Statute the Second.

[Edward by the Grace of God, &c.'] to the Sheriff of Lincoln, Greeting. Whereas at our Parliament summoned at Westminster in the Quinzime of Easter last past, certain Articles expressly contrary to the Laws and Customs of our Realm of England, and to our Prerogatives and Rights Royal were pretended to be granted by Us by the manner of a Statute; We, considering how that by the Bond of our Oath we be tied to the observance and defence of such Laws, Customs, Rights, and Prerogatives, and providently willing to revoke (2) such things to [their own State,3] which be so improvidently done, upon conference and treatise thereupon had with the Earls, Barons, and other wise Men of our said Realm, and because We never consented to the making of the said (4) Statute, but as then it behoved us, We dissimuled in the Premisses [by Protestations of Revocation 5] of the said Statute, if indeed it should proceed, to eschew the dangers which by the denying of the same We feared to come, forasmuch as the said Parliament otherwise had been, without dispatching any thing, in discord dissolved, and so our earnest business had likely been ruinated, which God prohibit, and the said pretensed Statute We permitted then to be sealed: It seemed to the said Earls, Barons, and other wise Men, that sithence the said Statute did not of our free Will proceed, the same [be 6] void, and ought not to have the name nor strength of a Statute; and therefore by their Counsel and Assent We have decreed the said Statute to be void, and the same in as much as it proceeded of [Dread,7] We have agreed to be adnulled; willing nevertheless, That the Articles contained in the said pretensed Statute which by other of our Statutes, or of our Progenitors Kings of England, have been approved, shall, according to the form of the said [Statute 8] in every point, as convenient is, be observed; And the same We do, only to the Conservation and Reintegration of the Rights of our Crown, as We be bound, and not that We should in any wise grieve or oppress our Subjects, whom We desire to rule by lenity and gentleness. And therefore We do command thee, that all these things thou cause to be openly proclaimed in such Places within thy Bailiwick where thou shalt see expedient. Witness myself at Westminster the First Day of October, the Fifteenth Year of our Reign.

Revocation of the Statute within written. *See Statute I. preceding.*

By the King himself and his Council.

1 The King *MS. Tr.* 2. 2 and call again *MS. Tr.* 2.
3 a due state *MS. Tr.* 2. 4 *pretensed*
5 *Protests being before made for the revoking*
6 should be 7 Deed 8 Statutes

Statute the Third.

IT is to be Remembered, of the Conditions which the great Men and the Commons demanded, for the Grant that they made to our Sovereign Lord the King, for the ix. Lamb, Fleece and Sheaf of the Second Year.

See Statute 14 Ed III. st. 1. c. 20.

I. Allowance of Wool actually levied.

FIRST, That that is gathered and levied of the xx. thousand sacks of Wool, another time granted to our Sovereign Lord the King, in manner to have recompence of the same of the ix. of the second year, shall be recouped and allowed to the Counties, where the Wools be levied, and the Persons paid, and the Commissions of the twenty thousand Sacks repealed.

II. Allowance of the Ninth actually levied.

ITEM, That the Fleeces and Lambs levied of this second year, be accounted before them, which shall be deputed to gather the said Wools, which shall be good Men and lawful of the Country, and that the value of the said Lambs and Fleeces levied, be recouped and allowed in the number of the Sacks now granted, and that the remnant of the three things to be gathered of this second year, nothing shall be levied, but wholly released. And upon the same, Letters Patents under the great Seal shall be delivered to the Knights of the Shires without any thing to be paid.

* This is placed after Statute the Third on the Back of the Statute Roll.

III. How the Wools shall be collected.

ITEM, That the Wools in every County, be gathered by good Men of the Country, and delivered to the King's Receivers, of the Sacks in the Counties where they shall be gathered, according to the Weight ordained by the Statute, that is to say, xiiii. pound for the stone, and xxvi. stones for the Sack, without other increase. And that none be charged to yield thereupon account to the King, but only the King's Receivers. And that in every Country there be assigned two great and good Men, to hear and determine the complaints of them which will thereof complain, upon the said Collectors and Receivers, [&c.[1]] at the Places and Days of the Counties.

IV. The Grant of Wools apportioned according to the Ninth.

ITEM, That the Prelates, Earls, Barons, Knights, and other great Men of every Country, which shall be bound to pay the ix. according to the Grant thereupon made, shall be apportioned after their rate to the charge granted of the said Wools. And in case that any of the Prelates or great Men aforesaid, or other, will not pay according as shall be apportioned, the names of such and their portions shall be delivered to the said Receivers, and by them to the Chancery, and so much shall be allowed to the County; And he that shall be found disobedient, shall be distrained to pay the treble of the portion, whereto he was set.

V. Exporting of Wools.

ITEM, That no Merchant, nor other, buy nor carry Wools out of the Land betwixt this and the feast of Saint Michael next coming, to the Intent that the King be served of that that to him is granted; And that after the said feast of Saint Michael, every Merchant of the Realm, and other, may freely sell and buy, and pass the Sea with their Merchandises of Wools, and all other things, paying the Customs of old time used, according to the Statutes before this time made at the last Parliament holden at Westminster in Middle Lent. And that they which have Wools shall be bound to sell, according to the sort and price of the Country, to accomplish the Wools granted to the King, and they which shall be Collectors ([2]) shall be sufficient people of the same Counties, chosen now in full Parliament, and they shall be changed by no manner of Commandment.

Owners of Wools bound to sell.

Collectors of Wools.

VI. Queen's Gold.

ITEM, That the Queen's Gold shall not run in demand, by reason of this Grant. And that Cities and Boroughs and all religious Persons, which hold by Barony, ([3]) shall be bound to come to the Parliament, and they that have Cattles without [gaining,[4]] shall be charged with the Commons; and that the religious and other people of holy Church, for the Lands and Possessions purchased and appropried, not taxed with the tax used of Dismes, shall be charged in this contribution with the Commons. And that he which shall be found guilty of passage, shall be at the forfeiture of the double value of the Wools. And that the takers may take the Wools, in what part they shall be found out of Sanctuary, after the sort and the price of Nottingham. And as to that which is behind of the ix. of the year past, the King shall do to be assigned some of his own, with good people of the Counties, to take Informations by all the ways that they can or may, of the true value of the ix. in every Parish. And according to these Informations the ix. shall be levied.

How Cities, Boroughs, and the Clergy shall be charged.

Exporting of Wools.

Arrears of the First Year's Ninth.

VII. Grant of Petitions, &c. by the King.

ITEM, That the Petitions, shewed by the great Men and the Commons, be affirmed according as they be granted by the King, that is to say, [some[5]] by Statute and the other by Charter or Patent, and delivered to the Knights of the Shires, without any thing paying; and that it please the King to perform the grace which he hath promised to the great Men, in right [to be[6]] attached and imprisoned now in this Parliament. And they that have made Fines, shall stand at their Fines or at the common Law, at their own choice.

[1] and this *MS. Tr.* 2.
[2] *of the said Wools* [3] *and*
[4] *Gainery*
[5] the pointes to endure, *MS. Tr.* 2. [6] *of those*

Item q̃ les leines en chescun Countee soient quilliez, p bones gentz du pais, & soient liv̄ez as resceivours le Roi p sacs es Countees ou ils ſront quilliez, solonc le pois ordeine p estatut, Cest assavoir xiiij livers p^r la piere & xxvi pieres p^r le sac, saunz autre encres. Et q̃ nul ne soit chargee de rendre sur ce acompte al Roi, mes soulement les resceivours le Roi. Et q̃ [en[1]] chescoun pais soient assignez deux g^ntz bones gentz, doier & terminer les pleintes de ceux q̃ se voudrent pleyndre des dites quillours & resceivours, & ce as jours & lieux des Countees.

Item q̃ p̄lates, Countes, & Barons, Chivalres & autres g^ntz de chescun pais, queux ſront tenuz de paier la noefisme, solonc le g^nte s^r ce faite, soient apporcionez solonc lour afferant a la charge g^nte des dites leines. Et en cas q̃ ascun des p̄latz [ou[2]] g^ntz avantditz ou autre, ne voille paier solonc ce qil ſra apporcione, soient les noūs des tieux & lour porcionz liv̄ez as dites resceivours, et p eux a la Chauncellerie, & tant soit allowe al Countees; & celui q̃ ſra trove desobeisant, soit detreint de paier la treble de la porciun a quele il fust mys.

Itē q̃ nul qi qil soit, Marchant ne autre, achate ne ameigne leines hors de la ſre, entre cy & la Seint Michel pschein avenir, en eide q̃ le Roi soit ſvi de ce q̃ luy est g^antee; et q̃ apres la dite fest de Seint Michel, chescun du Roialme, Marchant & autre, fraunchement puisse vendre & acater, & passer la mier ov^sq. lo^r marchandises, des leines & de toutes autres choses, paianz les custumes auncienment usees, solonc les estatuz eintz ces houres faites, al darrain plement tenuz a Westm̄ a my quaresme. Et ceux q̃ ont leines soient tenuz de les vendre solonc le sort & pris du pais, p^r accomplir les leines g^antez au Roi. Et ceux q̃ ſront quillours des dites leines soient gentz suffisaunz, de meisme les counteez eslutz ore en plement, & qils ne soient chaungez p nul maundement.

Item q̃ le oor la Reine ne courge en demande p reson de cel grante. Et q̃ Citees & Bourgh̄s, & touz les religiouses q̃ tiegnent p baronie, & sont tenuz de venir al plement, et ceux q̃ ount chateux sanz gainerie soient chargees [[4]od la comune, et q̃ religious & autres gentz de seint eglise, p^r terres & possessions p^rchacez & appropiez, nient taxes ove le tax usee des dismes, soient chargez[4]] en cest contribucion ove la com̄une. Et [q̃[3]] celui q̃ ſra trove coupable de passage, soit a la forfeture de la double value des leines. Et q̃ les pnours poessent p̄ndre les leines quel pt q̃ eles ſront trovez, hors de saintuarie, solonc le sort & le pris de Notingh^am; qant a ce qest arere de la noefisme del an passe, Le Roi fra assigner ascunes des soens, ove bones gentz des Counteez, de p̄ndre informacions, p totes les voies qils saV̄ont ou purront, de la verreie value des noefismes en chescun poche, & solonc cestes informacions soient les noefismes leveez.

Item q̃ les peticions p les g^ntz & la cōe monstreez soient affermez, selonc ce qils sont g^ntee p le Roi, cest assavoir les pointz adurer p estatut, & les autres p chre ou patente, & liv̄es al Chivalers des Counteez saunz rienz payer; et q̃ pleise a nr̄e Seign^r le Roi de pformir la g^ace qel ilad pmys as g^antz, endroit des attachez & emp^sonez ore en ce plement; et ceux q̃ ount fait fines estoisent a lo^r fines, ou a la cōe ley a lour cheys.

[1] [2] [3] Interlined on the Roll. [4] Omitted in Rot. Parl.

Anno 17° EDWARDI, III. A.D.1343.

Ex Rot. Parl. in Turr. Lond. 17 Ed. III. nu. 15.

De Monoie.

ITM acordez est de faire une Monoie des bons Esterlings en Engletre du pois & del alaye del auncien Esterling, q̃ ava son cours en Engletre entre les gntz & la cõe de la tre, & la quele ne sra portez hors du roialme Dengletre en nulle manle ne p qecunqe cause q̃ ce soit; et en cas q̃ les Flemmyngs voillent faire bone Monoie dargent, grosses ou autres acordante en alaye as bons esterlings q̃ tiele monoie eit cours en Engletre entre Marchand & Marchand & autres qi la vodroient resceivre de lour bon gree issint q̃ nul argent soit portez hors du Roialme. Itm̃ est acordez & assentuz, q̃ bones gentz & loialx soient assignez es portz du Miere & aillo's ou miester sra, de faire la sche q̃ nul argent soit portez hors du roialme, en monoie nautrement; forspris q̃ les gntz qnt ils vont p dela qils peussent av vesselx dargent pr svir lour hostelx, et q̃ nul soit si hardy de porter fausse & malveis monoie en roialme sur peyne de forfaite de vie & de membre, et a faire Eschanges, a ceux qi passeront la Miere, dor pur lour bons esterlings a la value. Itm̃ assentuz est & acordez q̃ les ditz Sercheo's p cause qils ferront lour offices plus diligeantment & plus loialment, ils eient la tiercz ptie de tote la fauxe monoie qils purront trover portee deinz le roialme a lour pfit demeen; et en meisme la manere eient la tierce ptie de la bone monoie quele ils troveront en la miere passant hors de la tre; & en cas qils soient trovez negligentz ou rebelx a tieux sches faire q̃ lor tres & teñz biens & chateux soient seisiz en la mayn le Roi, & lour corps pris & detenuz tanq ils eient fait fyn au Roi pur lour desobeissance; et en cas qils soient assentantz de porter tiele fausse monoie & de soeffrire sachantement largent ou monoie, autrement forspris q̃ les gndz qnt ils vont p dela qils peussent av vesselx dargent pur svir lor hostelx, come desus est dit, estre mesnez hors du roialme, eient juggement de vie & de membre.

Of Money.

ITEM, It is accorded to make Money of good Sterling in England of the Weight and Allay of the ancient Sterling, which shall be current in England between the Great Men and Commons of the Land, and the which shall not be carried out of the Realm of England in any manner, nor for any cause whatsoever; and in case that the Flemmings will make good Money of Silver [gross [1]] or other, according in allay [of [2]] good Sterling, that such Money shall be current in England between Merchant and Merchant, and others who of their own accord will receive the same; so that no Silver be carried out of the Realm.

Flemish Money current.

Searchers for Money exported.

Item, It is accorded and assented, That good and lawful men be assigned in the Ports of the Sea, and elsewhere, where need shall be, to make Search, that no Silver be carried out of the Realm in Money or otherwise; except that the Great Men may, when they go out of the realm, have Silver Vessels to serve their Houses, and that none be so hardy to bring false and ill Money into the realm, upon pain of Forfeiture of Life and Member, and to make Exchanges with them that shall pass the Sea, of Gold for their good Sterling to the Value.

Exception.

Exchanges.

Reward of Searchers.

Item, It is assented and accorded, That the said Searchers, because they may do their Offices more diligently and more lawfully, shall have the third part of all the false Money that they can find to be brought into the Realm, for their own benefit; and in the same manner they shall have the third part of the good Money which they shall find upon the Sea passing out of the Realm; and in case they shall be found negligent or disobedient in making such Searches, that their Lands and Tenements, Goods and Chattels shall be seised into the King's Hands, and their Bodies taken and detained until they have made Fine to the King for their Disobedience; and in case they shall be assenting to the bringing in of such false Money, or wittingly shall suffer Silver or Money, except Vessels of Silver for the Great Men when they go out of the Kingdom to serve in their houses, as before is said, to be transported out of the Realm, they shall have Judgement of Life and Member.

Punishment for Neglect.

For assenting to Importation of false Money.

[1] *Groats* [2] *with*

Anno 18° EDWARDI, III. A.D.1344.

Ex Rot. Parl. in Turr. Lond. 18 Ed. III. nu. 51. d. [1]

Declaratio fca in pliamento tento apd W. anno xvijo. de Exigend.

ACORDEZ est & assentuz, q̃ de ceux qi sont & ont este Resceyvours [des leynes le Roi,[2]] & les pnont du people, & les alloignent ou detiegnent, issint q̃ nre Seign le Roi ne poet ent estre sviz; De ceux qi mesnent les leynes p dela saunz estre cokettez, ou saunz paier Custume & Subside, as queux eles sont assis; & des Custums & Tronours qi les soeffrent au damage du Roi; Des leys Ministres qi resceyvent les deniers le Roi, & les retiegnent; Des Conspirato's Confederatours & Meynteno's des fauxes quereles, & de ceux qi mesnent routes en psence des Justices, ou autres Ministres le Roi, ou aillours es Contees en affray du people, issint q̃ la Ley ne se poet faire, auxibien des ceux qi les mesnent come de ceux qi viegnent en lour compaignie; Des ceux qi portent la fauxe monoie en deceite du people; Touz ceux, en cas q̃ils ne pront estre trovez ou mesnez en respons p attachement qu p destresce pr le pfit le Roi, q̃ lexigende soit donez & sui, & ne mye dautres.

[1] See Rot. Parl. 17 Ed. III. nu. 34.

[2] des deniers le Roy ou de fez leyns *MS. Cott. Nero, C. I.*

STATUTE THE FIRST.

Declaration made in the Parliament holden at Westminster in the xviith Year; concerning Exigends.

IT is Accorded and established, That from henceforth of them which be or have been Receivers of the King's Money, or of his Wools, which they take of the People, and the same carry away, or detain, so that our Sovereign Lord the King may not be thereof served: And of them which [bring [1]] Wools to the parts beyond the sea, without being cocketted, or paying Custom or Subsidy, whereto they be assessed; and of Customers and [Finders,[2]] which suffer the same to the King's Damage; of Lay Ministers which receive the King's Money and the same retain; Also of Conspirators, Confederators, and Maintainers of false Quarrels: also of them that bring Routs in the presence of the Justices, or other the King's Ministers, or elsewhere in the Counties in affray of the People, so that the Law may not be done, as well of them which bring the same, as of them which come in their Company; [or as of them which bring [3]] false money in deceit of the People: Against all those, in case they may not be found, or brought in to answer, by Attachment or Distress, for the Profit of our Sovereign Lord the King, the Exigend shall be given and sued, and not against other.

[1] carry

[2] Tronours *MS. Tr. 2.* Searchers *Old Printed Copies.*

[3] And of them which bring in

Ordinac'oes in p'liamento apud Westm̄ anno regni D'ni E. Regis Angl' & Franc', videl't Angl' decimo octavo & Franc' quinto tento f'ce.*

ORDINANCES made in the Parliament holden at WESTMINSTER, in the Year of the Reign of our Sovereign Lord EDWARD, King of ENGLAND and of FRANCE, to wit, of England the EIGHTEENTH, and of France the FIFTH.

STATUTE THE SECOND.

IT is to be Remembered, that at the Parliament holden at Westminster, the Monday next after the Utas of the Holy Trinity, the year of the Reign of our Sovereign Lord the King that now is of England the xviij. and of France the v. (1) many Things were shewed in full Parliament, which were attempted by the Party adversary to our Sovereign Lord the King, of France, against the Truce lately taken in Britaine, betwixt our said Sovereign Lord the King and [him;[2]] and how that [he[2]] enforceth himself as much as he may, to destroy our said Sovereign Lord the King, and his Allies, Subjects, Lands, and Places, and the tongue of England; and that was prayed by our said Soverign Lord the King of the Prelates, great Men, and Commons, that they would give him such Counsel and Aid, as should be expedient in so great necessity: And the said Prelates, great Men, and Commons, taking good deliberation and advice, and openly seeing the subversion of the Land of England, and the King's great business, which God defend, if hasty remedy be not provided, have [concealed[3]] jointly and severally, and prayed with great instance our Sovereign Lord the King, that he would make him as strong as he might to pass the Sea, in assurance of the aid of God and of his good quarrel, effectually this time to make an end of his Wars, or by way of peace or else by force; and that (4) for Letters, Words, nor fair promises, he shall let his passage, till he see the effect of his business; and for this cause the said great Men do grant, to pass and to adventure them with him. And the said Commons do grant to him, for the same cause upon a certain form ii. Quinzimes of the Commonalty, and ii. Dismes of the Cities and Boroughs, to be levied in manner as the last Quinzime granted to him was levied, and not in other manner; and to be payed by ii. years, at the feasts of All Saints, and of Easter next following, for the first year; and [in that, that[5]] our Sovereign Lord the King doth pass the Sea, to pay at the same terms [to the Quinzime and Disme[6]] of the second year, and not in other manner; so that the Money levied of the same, be dispended in the business shewed to them in this Parliament, by the advice of the great Men thereto assigned, and that the aids beyond Trent, be put in defence of the North. And our said Sovereign Lord the King, for this cause, and in ease of the said Commons, and of all his faithful Subjects of England, by the assent of the Prelates, great Men, and Commons, hath granted of his good grace these things underwritten:

Grant to the King of two Fifteenths and two Tenths; by the Commons.

Commissions of new Inquiries repealed; Saving for Indictments for certain Offences already commenced.

FIRST, That the Commissions of the new Enquiries shall cease and be wholly adnulled, and that Writs be thereupon made of the Justices to surcease; Saving (7) the Indictments of Felonies and Trespasses done against the Peace, of Wools carried out of the Realm, without paying Custom or Subsidy, and of other the King's Goods, or of Money received or retained, by them which have had Commission under the King's Seal, and also of

[1] among other things *MS. Tr.* 2.
[2] *his said Adversary*
[3] counselled
[4] nor
[5] *in case that*
[6] a xv. and a disme *MS. Tr.* 2.
[7] that

Ex magno Rot. Stat. in Turr. Lond. m. 19, *d.*

FAIT a remembrer, q̄ au plement tenuz a Westm̄, le Lundy pschein aps les Oytaves de la Trinite, lan du regne nre Seignr le Roi Dengletre disoitisme, & de France quint, furent monstrez entre autres choses en plein plement, plusours choses q̄ furent attemptez p la ptie advsaire nre f le Roi, de Fraunce, encontre la trewe prise nadgairs en Bretaigne, entre nre dit f le Roi & son dit advsaire; & coment son dit advsaire safforce tant come il poet a destruir nre dit Seignr le Roi, ses alliez & subgitz, tres & lieux & la lange Dengletre; & sr ceo fu priez dep nre dit Seignr le Roi, as Prelatz, gntz & cões, qils lui donassent tieu conseil & eide come bosoignereit en si gnde necessite; et les ditz Prelatz, gntz & cões, eu ent bon delibacion & avys, & viantz aptement la subvsion de la tre Dengletre, & des grosses busoignes le Roi, q̄ Dieu defend, si hastive remedie ne y soit mys, si conseillerent jointement & sevalment, & supplierent ove gnde instance a nre dit Seignr le Roi, qil se feist si fort come il plus purroit pr passer la mieer, en asseurance del eide de Dieu & de sa bone querele, affercement pr faire fyn a ceste foitz de sa guerre, ou p voye de pees ou p force; & q̄ pr tres ne poles ne beaux pmesses, il ne lessat son passage sil ne veit effect de la busoigne; et p ceste cause les ditz gntz gunterunt de passer & lour avent'er ovesqes lui. Et la dite cõe lui gunta, p mesme la cause, sr ateine fourme deux quinzismes de la cõalte, & deux dismes des Citees & Burghs, de lev en la manle come la derreine quinzisme a lui gunte fust leve, & nemie en autre manle; & apaier p deux anz, cest assav a les festz des touz Seintz & de la Pasche pschein suantz pr le primer an; Et en cas q̄ nre Seignr le Roi passe la mieer, de paier a mesmes les tmes les quinzisme & disme del second an, & nemye en autre manle; Issint q̄ les deniers de ce levez soient despenduz en les busoignes a eux monstrez a cest plement, p avis des gntz a ce assignez, et q̄ les eides de la Trente soient mys en defens de North. Et nre dit f le Roi, p cest cause & en eese de la dite cõe & de touz ses foialx Dengletre p assent des Prelatz, gntz & des cões si gunta de sa bone gce les choses souzescriptz, cest assav; q̄ les cõmissions des novelles enquerrez cessent, & de tout soient anientiz, et sr ceo briefs soient faitz a les ditz Justices de surseer; sauvez q̄ les enditementz des felonies & trespas faites contre la pees, des leines mesnez hors du roialme sanz paier custume ou subside, & daut's biens le Roi ou deniers resceuz ou detenuz, p ceux qont eu cõmissions souz le Seal

* This Title is written on the Back of the Roll, at the Head of this Statute; as well as on the Front of the Roll at the Head of Statute the Third.

le Roi, & aussint de fause monoie porte dedeinz le Roialme, inchoatz devant mesmes les Justices nomez es dites cõmissions, soient ꝑminez en Bank le Roi, ou devant autres Justices a ceo assigner; et q̃ les exigendes, issues &, utlagaries ꝓnuncies ꝑ autre cause q̃ ꝑ les causes sauvez cessent, & soient anientiz de tout; et s' ce soient faitz briefs, tantz & tieux come il busoignera.

Et aussint, q̃ deux ou trois des mieultz vauetz des Countees, soient assignez gardeins de la pees ꝑ cõmissions le Roi; et quele heure q̃ mestier ꝥra, mesmes ceux ovesqes aut's sages & apris de la leye soient assignez ꝑ cõmission le Roi doier & ꝑminer felonies & trespas faites contre la pees en mesmes les Countees, & punissement faire resonablement, solonc la maꝥe du fait.

Itm̃ q̃ les ordinances, devant ses heures faites s' le pris des sortz des leines en chescune Countee soient de tout anientiz & defaitz; & q̃ chescun home aussi bien estrange come prive puisse desormes achater leines solonc ceo qil p'ra acorder ove le vendour, aussi come ils soleient faire devant les ordinances avantdites. Et q̃ nul hõme ne soit empeche ne grevez ꝑ cause de nul acate faite en temps passez, encontre les ordinances avantdites; et q̃ la mieer soit overte a toute maꝥe des Marchantz de passer ove lour marchandises.

Itm̃ q̃ les cõmissions dassaier mesures, aunes & pois, soient repellez & anientiz de tout; & q̃ desore nul tiel cõmission isse, et q̃ mande soit a Tresorer & as Barons de lesc̃er de faire venir devant eux, tieux cõmissioners de rendre acompt au Roi, nient contresteant qils alleggent qils sont Justices & ne deivent nul acompt rendre; et si nul se voudra pleindre s' eux, soit oy; & s' ceo soient faites briefs as viscontes de faire ꝓclamacion, q̃ ceux q̃ se voudreint pleindre s' tieux Cõmissioners, veignent a lescheqer, & illoeqes se pleinent, et amendes lour ꝥront faites.

Itm̃ q̃ nule exigende isse desormes en cas ou hõme est enditez de trespas q̃ ne soit encontre la pees, ne des choses q̃ ne sont contenues en la declaracion fait en ce cas, au derrein plement tenuz a Westm̃.

Itm̃ q̃ nul hõme soit artez aꝑndre la novelle monoie dor, q̃ nr̃e Seign' le Roi ad ordeignez daler en paiement a ꝺtein pris, dedeinz la sõme de xx s. Et aussint q̃ monoies dor & dargent soient faites en la Citee Deꝥwyk, & aillours ou le Roi voudra ordeigner, en la maꝥe q̃ hõme fait a la Tour de Londres; & q̃ eschaunges soient ordeignez en les bones villes, solonc ce qil semblera a nr̃e Seign' le Roi mieultz p' le profit & eese de lui & de son poeple. Et q̃ ordeignez soit en ꝺtein quele chose ꝥra done p' eschaunge a chescune piece dor.

Itm̃ q̃ les estatuz faitz sur les p'veances affaire s' lostel le Roi, la Roigne, & lour enfantz, en les queux est contenuz qils achatent ne ꝑignent riens, sil ne soit ꝑ la bone gree des vendours, & ꝑ feer fait entre les achatours & les vendours, Et aussint les estatutz faitz del estat le Seneschal & Mareschalx del hostel le Roi, & queux pleedz ils tendront & deꝑmineront devaunt eux en la Mareschalcie, soient tenuz & gardez en touz lour pointz; les queux estatutz nr̃e Seign' le Roi ad fait t'nsescrivre, & mander as Seneschal & Mareschalx de son hostel, & a Tresorer de la garderobe, & briefs ovesq̃ de les garder & meintẽ en touz pointz: et q̃ gentz darmes hobelers & archers esluz p' aler en le ꝥvice le Roi hors Dengleꝥre, soient as gages le Roi du jour qils deꝑtiront hors des Countees, ou ils ꝥront eslutz.

Exemplificat' de assensu pliamenti.

false Money brought within the Realm, begun before the same Justices, named in the said Commissions, shall be determined in the King's Bench, or before other Justices thereto assigned; and the Exigends issued, and Outlawries pronounced, for other (1) causes aforesaid, shall cease and be wholly adnulled; and thereupon shall there be made Writs as many, and such as shall be requisite.

II. Keepers of the Peace; their Authority.

ITEM, That two or three of the best of reputation in the Counties shall be assigned Keepers of the Peace by the King's Commission; and at what time need shall be, the same, with other wise and learned in the Law, shall be assigned by the King's Commission to hear and determine Felonies and Trespasses done against the Peace in the same Counties, and to inflict Punishment reasonably according to [Law and Reason, and] the manner of the Deed.

III. All Persons may buy Wools. The Sea open to all Merchants.

ITEM, That the Ordinances made before this Time, upon [taking (2)] of Sorts of Woolls in every County, be wholly annulled and defeated; and that every Man, as well Stranger as Privy, from henceforth may buy Woolls, according as they may agree with the Seller, as they were wont to do before the said Ordinances; (3) and that the Sea be open to all manner of Merchants to pass with their Merchandize [where it shall please them.]

IV Commissions to assay Weights and Measures repealed. Commissioners to account.

ITEM, That the Commissions to assaie Measures (4) and Weights be repealed and wholly adnulled; and that from henceforth no such Commission shall go out; and that it be demanded to the Treasurer and Barons of the Exchequer, to do come before them such Commissioners, to yield account to the King, notwithstanding that they allege, that they be Justices, and ought not to yield account; and if any will upon them complain, he shall be heard; and thereupon Writs shall be made to the Sheriffs, to make Proclamation, that they which will complain upon such Commissioners, shall come to the Exchequer, and there to complain, and amends shall be to them made.

V. No Exigent in Trespass, unless against the Peace.

ITEM, That no Exigent shall from henceforth go out, in case where a Man is indicted of Trespass, unless it be against the Peace, or of Things which be (5) contained in the Declaration made in this Case at the last Parliament holden at Westminster.

VI. New Money. Gold and Silver to be coined at York, &c. Places of Exchange. Exchanges ascertained.

ITEM, That no Man be compelled to take the new Money [and gold and silver (6)] which our Sovereign Lord the King hath ordained, to go in Payment at a certain Price, within the Sum of Twenty Shillings. And also that Money of Gold and Silver be made in the City of York, and elsewhere where the King will it ordain, in the manner as it is made in the Tower of London; and Exchanges shall be ordained in the good Towns, according as it best shall seem to our Sovereign Lord the King, for the profit of him, and (7) his People. And that it be ordained in a certainty, what thing shall be given in exchange of every piece of Gold.

VII. Confirmation of the Statutes regulating Purveyance; and the Court of the Marshalsea. Pay of Soldiers.

ITEM, That the Statutes [for (8)] the Purveyances, to be made for the Houses of the King, the Queen, and their Children, wherein it is contained, That they shall not buy nor take any thing, unless it be by Agreement of the Sellers, and by promise made betwixt the Buyers and the Sellers; and that the Statutes made of (9) the Steward and Marshall of the King's House, and what Pleas they shall hold and determine before them in the Marshalsey, shall be holden and kept in all their Points; which Statutes our Lord the King hath caused to be transcribed, and sent to the Steward and Marshal of his House, and to the Treasurer of the Wardrobe, and Writs with them, to keep and maintain the same in all Points: And that Men of Arms, Hoblers and Archers, chosen to go in the King's Service out of England, shall be at the King's Wages from the Day that they depart out of the Counties where they were chosen, till their return.

Exemplified by Assent of Parliament.

1 *Cause, than for the*
2 *the Price*
3 And that no man be impeached, nor grieved, because of any buying made in times past against the Ordinances aforesaid;
4 Yards
5 *not*
6 of Gold
7 ease of *MS. Tr.* 2.
8 made upon
9 the State of

Ordinac'oes in P'liamento apud Westm anno regni D'ni E. Regis Angl' & Franc', videl't Angl' decimo octavo & Franc' quinto tento f'ce.

ORDINANCES made in the Parliament holden at WESTMINSTER, in the Year of the Reign of our Sovereign Lord EDWARD, King of England and of France, to wit, of England the Eighteenth, and of France the Fifth.

Statute the Third.

EDWARD by the Grace of God, [&c.[1]] Greeting. Know Ye that at our Parliament holden at Westminster the Monday next after the Utas of the Holy Trinity, [the Year of our reign of England the Eighteenth, and of France the Fifth,[2]] amongst other Things shewed, assented, and accorded in the said Parliament, there were shewed, assented, and accorded these Things under-written.

I. FIRST, Whereas many Things have been attempted, by the Party our Adversary of France, against the Truce late taken in Britaine, betwixt Us and Him, and how that he enforceth himself, as much as he may, to destroy Us, and our Allies, Subjects, Lands, and Places, and the Tongue of England: And thereupon We prayed the Prelates, Great Men, and the Commons, that they would give us such Counsel and Aid as should need in so great necessity; and the said Prelates, Great Men, and Commons, having thereof good deliberation and advice, and seeing openly the Subversion of the Land of England, and of our great Business, which God defend, if speedy Remedy be not provided; have counselled jointly and severally, and with great instance prayed Us, that in assurance of the Aid of God, and our good Quarrel, we should make Us as strong [as We might, to pass the Sea and[3]] by all the good means that We might, at this time to finish our Wars; and that for Letters, Words, nor fair Promises, we should not let our Passage, till We did see the Effect of our Business: And for this Cause, the Great Men aforesaid granted to pass, and to adventure themselves with Us; and the said Prelates and Procurators of the Clergy, have granted to Us for the same Cause, a Triennial Disme, to be paid at certain Days, that is to say, of the Province of Canterbury, at the Feasts of the Purification of our Lady, and of Saint Barnabe the Apostle: And of the Province of York, at the Feasts of Saint Luke, and the Nativity of Saint John Baptist. And We for this Cause, in Maintenance of the Estate of Holy Church, and in Ease of the said Prelates, and all the Clergy of England, by Assent of the Great Men, and of the Commons, do grant of our good grace the Things underwritten; that is to say, that no Archbishop (4) shall be impeached before our Justices because of Crime, unless We especially do command them, till another Remedy be thereof ordained.

Grant to the King by the Clergy.

Exemption for the Prelates in criminal Cases.

II. ITEM, If any Clerk be arraigned before our Justices at our Suit, or at the Suit of the Party, and the Clerk holdeth him to his Clergy, alledging that he ought not before them thereupon to answer; and if any Man for Us, or for the same Party, will suggest, that he hath married two Wives, or one Widow, that upon the same the Justices shall not have the Cognisance or Power to try the Bigamy by Inquest, or in other manner, but it shall be sent to the Spiritual Court, as hath been done in times past in case of Bastardy; and till the Certificate be made by the Ordinary, the Party in whom the Bigamy is alleged, by the words aforesaid, or in other manner, shall abide in Prison; if he be not mainpernable.

Bigamy triable by the Ordinary, and not by Inquest.

III. ITEM, If Prelates, Clerks beneficed, or Religious People, which have purchased Lands, and the same have put to Mortmain, be impeached (5) upon the same before our Justices, and they shew our Charter of Licence, and Process thereupon made by an Inquest of Ad quod damnum, or of our Grace, or by Fine, they

Prosecutions against Religious Persons for purchasing Lands in Mortmain.

[1] *King of England and of France and Lord of Ireland, to all who these Letters shall see or hear,* [2] *last part*

[3] Not in original nor MS. Tr. 2.; but see Preamble of Statute the Second of this Year.

[4] nor Bishop [5] or areasoned *MS. Tr.* 2.

Ex magno Rot. Stat. in Turr. Lond. m. 19.

EDWARD p la g'ce de Dieu Roi Dengleᵭre & de Fraunce, & Seign' Dirland, as tous ceux q̃ cestes l̃res verrount ou orrount, Salutz. Sachez q̃ a nr̃e plement, tenuz a Westm̃ le Lundy ꝑscheyn ap̃s les oytaves de la Trinite ꝑschein passez, entre autr̃s choses monstrez, assentuz, & accordez en le dit plement, si furent monstrez, assentuz & accordez, les choses southescritz.

Primerement, coment plusours choses furent attemptez, p la ptie nr̃e adv̄saire de Fr̃nce countre la true prise nadgaires en Bretaigne, entre nous & lui, & coment il safforce tant come il poet a destruire no⁹, noz alliez & suggistez, ꝑres & lieux & la lange Dengleᵭre, et s' ceo fust priez de p nous as Prelatz, g'ntz & Cões, qils nous donassent tieu conseil & eide come busoigneroit en si g'nt necessite; et les ditz Prelatz, g'ntz & Cões, eu ent bone delib̃acioun & avis, & veantz aptement la subv̄sion de la ꝑre Dengleᵭre, & de noz grosses busoignes q̃ Dieu defende, si hastive remedie ne soit mys, si conseillerent jointement & severalment, & supplierent ove g'nt instance a no⁹, q̃ en assuraunce del eide de Dieu & de nr̃e bone querele, nous no⁹ afforceons p totes les bones voies q̃ no⁹ p'roms, de faire fyn a cest foitz de nr̃e guerre; & q̃ p' l̃res ne poles ne beaux ꝑmesses nous ne lessons nr̃e passage, si nous ne veons effect de la busoigne: Et p ceste cause, les ditz g'ntz g'nterent de passer & lour aventurer ovesq, no⁹; & les ditz Prelatz & ꝓcuratours de la clergie no⁹ g'nterent p mesme la cause une disme triennale, a paier as certeins jours, cest assavoir de la ꝓvince de Canterbirs, as festes de la Purificacion de nr̃e Dame & de Seint Barnabe Lapostoil, et de la ꝓvince Deverwyk as festes de Seint Luce et de la Nativite de Seint Joh̃n le Baptistre; et nous p ceste cause en meintenance del estat de seint eglise, & en eese des ditz Prelatz & de tote la clergie Dengleᵭre, p assent des g'ntz & des cões, si g'ntasmes de nr̃e bone g'ce les choses souzescrites; cest assavoir q̃ nul Ercevesq, ne Evesq, ne soit empeschez devant noz Justices p cause de crime, si nous ne les comandons especialment, tantq, autre remedie ent soit ordeignez.

If q̃ si nul clerk soit areinez devant noz Justices a nr̃e suyte, ou a la suite de ptie, & le clerk se tiegne a sa clergie, alleggeant qil ne doit devant eux s' ce respoundre, et si hom̃e lui s'mette p' nous, ou p' la ptie qil eit espusez deux femes ou une veue, q̃ s' ceo l̃es Justicz neient conisance ne poer de trier, p enquestes ou en autre manere, la bygamye, einz soit mandez a la Court Cristiene, come ad este fait en cas de bastardie; & tantq, la ctification soit mande p lordinarie, demoerge la ꝑsone, en quele bigamie est alegge p les poles susditz ou en autre manere en garde; sil ne soit meinpnable.

If q̃ si Prelatz, clers beneficez, ou gentz de Religion qount p'chacez ꝑres & les ount mys a mort meyn, soient empeschez ou aresonez s' ceo devant noz Justicz, & ils monstront noz ch̃res de licence & ꝓcesse s' ceo fait p enqueste, ad quod dampn̄, ou de nr̃e g'ce

ou p fyn, qils soient lessez fnchement en pees, saunz estre outre empeschez p' la dite p'chace. Et en cas qils ne p'ront sufficialment monstrer qils ne soient entrez p due pcesse, aps la licence a eux gnte, en genal ou especial, qils soient bonement resceuz a faire. covenable fyn, et q̃ lenquerrie de cest article cesse de tout solonc lacorde ent pris en cest plement.

It q̃ lestatut touchantz les p'viances de no9 & de noz [fitz [1]] en temps passez, p no9 & p noz pgenitours, p gentz de seint eglise, soient tenuz en touz pointz; & qen les cõmissions a faire s' tieux p'veances soient forspris les fees de seint eglise, & biens des gentz de seint eglise, en quecumqe lieu qils soient trovez.

It q̃ nule phibicion ne isse hors de la Chauncellerie si noun en cas q̃ nous avoms la conisaunce & devons avoir de droit. It q̃ p la ou cõmissions sont faites de novel as divses Justicz, qils facent enquestes s' Juges de seint eglise, le quel qils facent joust pcesse ou excesse en cause du testament, & autres les queux notoriement aptiegnent a la conisaunce de seint eglise, les ditz Justices ount enquis & font enditer Juges de seint eglise, en blemissement de la fnchise de seint eglise, q̃ tieles cõmissions soient repellez & desoremes defenduz; save larticle de Eyre tiele come il doit estre.

It q̃ p la ou briefs de Scire fac ount este gntez a garner Prelatz, religious, & autres clers, a respoundre des dismes en nre Chauncellerie, & a monstrer sils eient riens p' eux, ou sachent riens dire, p' quoi tieux dismes a les demandauntz ne deivent estre restitutes, & a respoundre auxibien a nous come a ptie des tieux dismes, q̃ tieux briefs desore enavant ne soient gntez & q̃ les pcesses pendantz s' tieux briefs soient anientiz & repellez, & q̃ les pties soient dimises devant seculers juges de tieux mals de pledz, savez a nous nre droit, tiel come nous & noz auncestres avons eu, & soleions avoir de resoun. En tesmoignaunce de queux choses, a la request des ditz Prelatz, a cestes psentes tres avons faitz mettre noz sealx. Don a Londres le viii. jour de Juyl lan de nre regne Dengletre disoitisme, & de France quint.

[1] faitz *Rot. Parl.*

shall be freely let in Peace, without being further impeached for the same Purchase. And in case they cannot sufficiently shew, that they have entered by due Process after Licence to them granted in general or in special, that they shall be well received to make a convenient Fine for the same; and that the Enquiry of this Article shall wholly cease according to the Accord comprised in this Parliament.

IV. Exemption of the Clergy from Purveyance.

ITEM, That the Statutes touching the Purveyances of Us and of [our Son,[1]] made in Times past by Us and our Progenitors, for People of Holy Church, be holden in all points; and that in the Commissions to be made upon such Purveyances, the Fees of Holy Church [2] shall be excepted in every place where they be found.

V. Prohibitions.

ITEM, That no Prohibition shall be awarded out of the Chancery, but in case where we have the Cognisance, and of Right ought to have.

VI. Commissions, to enquire of Spiritual Judges, repealed.

ITEM, Whereas Commissions be newly made to divers Justices, that they shall make Inquiries upon Judges of Holy Church, whether they made just Process or excessive in Causes Testamentary, and other, which notoriously pertaineth to the Cognisance of Holy Church, the said Justices have enquired, and caused to be indicted, Judges of Holy Church, in blemishing of the Franchise of Holy Church; that such Commissions be repealed, and from henceforth defended, saving the Article in Eyre, such as ought to be.

VII. No Scire facias against a Clerk for Dismes.

ITEM, Whereas Writs of Scire facias have been granted to warn Prelates, Religious and other Clerks, to answer [1] Dismes in our Chancery, and to shew if they have any thing, or can any thing say, wherefore such Dismes ought not to be restored to the said Demandants, and [of [3]] answer as well to Us, as to the Party of such Dismes; that such Writs from henceforth be not granted, and that the Process hanging upon such Writs be adnulled and repealed, and that the Parties be dismissed from the secular Judges of such Manner of Pleas; saving to Us our Right, such as We and our Ancestors have had, and were wont to have of Reason.

Saving of the King's Right.

In Witness whereof, at the Request of the said Prelates, to these present Letters We have set our Seal. Dated at London the eighth day of July, the year of our Reign of England the eighteenth, and of France the fifth.

[1] *ours* [2] *and the Goods of People of Holy Church*
[3] of [4] to

Anno 20° EDWARDI, III. A.D. 1346.

Ex Rot. Claus. in Turr. Lond. 20 *E. III. P.* 1. *m.* 12, *d.*

D' pclamando Ordinacõem fcam sup Justic R.

LE Roi as Viscontes de Londres, Salutz. Por ceo q̃ p divses pleintes faites a nous, avoms entenduz q̃ la ley de nre tre quele nous sumes tenuz p sement de maintenir, est meins bien garde & lexecucion dycelle destourbe plusures foitz p meyntenance & pcurement sibien en Court come en pays p plusures males; Nous meuz gndement de conscience de ceste matire, & p celle cause desirantz tant p' plesance de dieu & eese & quiete de noz subgiz come p' sauver nre conscience, & p sauver & garder nre sement avantdit, de lassent des gntz & autres sages de nre conseil avoms ordeinez & cõmandez expressement, a touz noz Justic, qils facent desore owele ley & execucion de droit a touz noz subgiz riches & povres saunz av regard a nulle psone, & sanz lesser de faire droit p' nulles tres ou mandementz q̃ lour p'ront venir de nous ou de nul autre ou p autre cause quecũq; et en cas q̃ aucunes tres briefs ou mandementz veignent a les Justic ou as autres deputez de faire ley & droit solonc les usages

Ordinance for the Justices.

For the proclaiming the Ordinance concerning the King's Justices.

[EDWARD by the grace of God, &c. to the Sheriff of Stafford,[1]] Greeting. Because that, by divers Complaints made to Us, We have perceived that the Law of the Land, which We by our Oath are bound to maintain, is the less well kept and the Execution of the same disturbed many times by Maintenance and Procurement, as well in the Court as in the Country, [2]; We, greatly moved of Conscience in this matter, and for this cause desiring as much for the pleasure of God, and ease and quietness of our Subjects, as to save our Conscience, and for to save and keep our said Oath, by the assent of the great Men and other wise Men of our Council, [We have ordained these things following: First, We have commanded [3]] all our Justices, That they shall from henceforth do equal Law and Execution of right to all our Subjects, rich and poor, without having regard to any Person, and without omitting to do right for any Letters or Commandment which may come to them from Us, or from any other, or by any other cause; and if that any Letters, Writs, or Commandments come to the Justices, or to other deputed to do Law and Right

I. Justices shall do Right to all Persons without Regard of Letters;

[1] *The King to the Sheriff of London,*
[2] *by divers manners*
[3] have ordeigned and comaunded expressly to *MS. Tr.* 2.

according to the usage of the Realm, in disturbance of the Law, or of the Execution of the same, or of (1) Right to the Parties, the Justices and other aforesaid shall proceed and hold their Courts and Processes where the Pleas and Matters be depending before them, as if no such Letters, Writs, or Commandments were come to them; and they shall certify Us and our Council of such Commandments which be contrary to the Law, as afore is said. And to the Intent that our Justices should do even right to all People in the manner aforesaid, without more favour shewing to one than to another, We have ordained and caused our said Justices to be sworn, that they shall not from henceforth, as long as they shall be in the Office of Justice, take Fee nor Robe of any Man, but of Ourself, and that they shall take no Gift nor Reward by themselves, nor by other, privily nor apertly, of any Man that hath to do before them by any Way, except meat and drink, and that of small value; and that they shall give no Counsel to great Man or small, [in case [2]] where We be party, or which do or may touch Us in any point, upon pain to be at our Will, Body, Lands, and Goods, to do thereof as shall please us, in case they do contrary; and for this Cause We have increased the Fees of the same our Justices in such manner as it ought reasonably to suffice them.

Recital of Oath of Justices.

Fees of Justices increased.

II. The Barons of the Exchequer shall do Right without Delay.

IN the same manner We have ordained in the right of the Barons of the Exchequer, and We have expressly charged them in our presence, That they shall do right and reason to all our Subjects great and small; and that they shall deliver the People reasonably and without delay of the Business which they have to do before them, without undue tarrying as hath been done in times past.

III. Justices of Oyer and Terminer, &c. shall take an Oath.

ITEM, We have ordained, That all they which shall be Justices assigned by Commission to hear and determine, and such as shall be associated to them, and also Justices of Assises to be taken in the Country, and of Gaol-delivery, and such as shall be [assigned and] associated to them, shall make first [an Oath in certain Points, according as to them shall be enjoined by our Council [3]] in our Chancery, before that any Commission be to them delivered.

IV. None shall maintain any Quarrels but their own.

ITEM, We have commanded and utterly defended, That none of our House, nor of them that be about us, nor other, which be towards our dear beloved Companion the Queen, or our Son Prince of Wales, or towards our Courts, nor Prelates, Earls, Barons, nor other great nor small of the Land, of what Estate or Condition they be, shall not take in hand Quarrels other than their own, nor the same maintain by them nor by other, privily nor apertly, for Gift, Promise, Amity, Favour, Doubt, [nor Fear,[4]] nor for none other Cause, in Disturbance of Law and Hindrance of Right, upon the Pains aforesaid; but that every Man may be free to sue for and defend his Right in our Courts and elsewhere, according to the Law: And We have straitly commanded our said Son, and divers Earls and other great Men, being before us, that they on their behalf shall do to be kept this Ordinance without default; and that they suffer none which be [towards them [5]] (6) to attempt against this Ordinance by any way.

V. Lords and Great Men shall put away Maintainers of Quarrels.

ITEM, Because We be informed, that many bearers and Maintainers of Quarrels and Parties in the Country be maintained and borne by Lords, whereby they be more encouraged to offend, and by Procurement covine and maintenance of such Bearers in the Country many People be disherited, and some delayed and disturbed of their Right, and some not guilty convict and condemned or otherwise oppressed, in the undoing of their Estate, and in the notorious Destruction (7) of our People: We have commanded and do command, That all the great Men from henceforth shall void from their Retinue Fees and Robes all such Bearers and Maintainers in the Country, without shewing to them any Aid, Favour, or Comfort in any manner. And moreover We

[1] *doing*
[2] *in Matters or Businesses*
[3] such Oath *MS. Tr.* 2.
[4] or Hatred
[5] with them, any thyng to do *MS. Tr.* 2.
[6] *or*
[7] *and Oppression*

du roialme en destorbance de la ley ou de lexecucion dycelle, ou de droit faire as ꝑties, les ditz Justicz & autres susditz aillent avant, & tiegnent lour cours & lour ꝑces en les plees & busoignes pendantz devant eux siavant come si nulles tieles ẗres briefs ou mandementz lour feussent venuz, & certifieñt nous & nr̃e conseil de tieux mandementz, q̃ sont contrairs a la ley come desus est dit. Et a fyn q̃ noz ditz Justices facent owel droit a toutes gentz en la manr̃e susdite, sanz plus de favour faire a un q̃ a autr̃; si avoms ordeinez & fait jurer noz ditz Justices qils ne prendrent desore, tant come ils ꝺront en office de Justice, fee ne robe de nulli sinoun de no⁹ meismes, et qils ne prendrent doun ne regard, ꝑ eux ne ꝑ autr̃, en prive nen apte, de nul hõme qi aꝺa affaire devant eux ꝑ quecunq̃ voie, sil ne soit mangꝺ ou boivre & ceo de petit value; & qils ne dorront counseil a nul gⁿunt ne petit es choses ou busoignes ou no⁹ sumes ꝑtie, ou q̃ no⁹ touchent ou porront toucher en nulle manr̃e sur peyne destr̃ a nr̃e volunte de corps ꝺres & avoir pr̃ faire ent ce q̃ no⁹ plerra, en cas qils facent le contrair; et ꝑ celle cause si avoms fait encrestr̃ les feez de meismes noz Justicz ꝑ manr̃e tiele q̃ lour doit resonablement suffire.

Et en mesme la manr̃e avoms ordene endroit des Barons de nr̃e Escheqer, & les avoms fait expressement chargꝺ en nr̃e ꝑsence, qils facent droit & reson as toutes gentz, gⁿndes & petites, & qils facent deliꝺer le people resonablement & sanz delai des busoignes qils aꝺont affaire devant eux, saunz estr̃ tariez nounduement, sicome ad este fait en temps passe.

Iten no⁹ avoms ordine q̃ toux ceux q̃ ꝺront assignez Justices ꝑ cõmission de oir & ẗminer, & ceux q̃ ꝺront associez a eux, & auxint Justices des assises prendr̃ en pais & gaols deliꝺer, & ceux q̃ ꝺront associez a eux facent ꝑmerement autiel ꝺement (1) en nr̃e Chauncellerie devant q̃ cõmission lour soit liꝺe.

Item no⁹ avoms comandez & defenduz tout outreement, q̃ nul de nr̃e oustiel ne de ceux qi sont entour no⁹, ne autres q̃ sont deꝺs nr̃e trescr̃e compaigne la Reine, ou nr̃e fitz le Prince de Gales, ou deꝺs noz Courtz, ne Prelatz Countz Barons nautres gⁿntz ne petites de la ẗre, de quel estat ou condicion qils soient, ne ꝺignent quereles en main, autres q̃ lour ꝑpres, ne les mainteignent ꝑ eux ne ꝑ autres en apt ne prive pr̃ doun, ꝑmesse, amiste, doute, favour, ou hayne ne ꝑ nulle autre cause, en destorbance de la ley, ou arerissement de droit sr̃ la peyne susdite; einz q̃ chescun hõme peusse estr̃ franc de son droit suir & defendre en noz Courtz & aillours solonc la ley: et si avoms estreitement cõmandez a nr̃e dit fitz, & a diꝺs Contz & autres grantz esteantz deꝺs nous, qils facent garder de lour ꝑte ceste ordinance sanz defaute, et qils ne soeffrent nuls qi sont deꝺs eux [rien [2]] faire nattempter countr̃ meisme lordinance ꝑ quecũq̃ voie.

Item Por ceo q̃ no⁹ sumes enformez q̃ plusurs mesnours & meintenours [des quereles & ꝑties [3]] en pais sont maintenuz & coꝺtz ꝑ seignᵉages, ꝑont ils sont le plus enbaudez de mesprendr̃, & ꝑ procurement covigne & maintenance de tieux mesnours en pais sont plusures gentz desheritez, & aucuns delaiez & desturbez de lour droit, & aucuns nientcoupables convictz & condempnez ou autrement oppressez, en defesaunce de lour estat, & en notoire destruccion & opꝑssion de nr̃e poeple, si avoms cõmandez, & cõmandons q̃ touz les grantz oustent desore en avant de lor retenance feez & robes, touz tieux mesnours & maintenours en pais, saunz nul favour, eide ou confort faire a eux desore en quecũq̃ manr̃e. Et estre ce nous avons ordenez de

[1] en certeynes pointes soloncq̃ ce q̃ lour ꝺra enjoynt de per nr̃e ꝯseil *Old Printed Copies.*
[2], [3] } Interlined on the Roll

faire venir a ꝺtein jour devant nous, ou ceux q̃ no⁹ deputerons de nr̃e conseil, tieux mesnours & meintenours des diu̇z Countez, & de les faire examiner & charger atteignantment, qils se oustent desore de tielles meintenances & ꝓcurementz faire en pais, en damage de nr̃e poeple; & ceo s' grevouses peynes q̃ lour ꝺront monstres.

Item voloms & avoms ordenez q̃ les Justices as assises prendr̃ assignez, eient sufficiante cõmission denquerre en lour sessions, des Viscontz, Echetours, Baillifs des Fraunchises & lour souz Ministres, et aussint des Meintenours, cõmuns assissours & jurours en pais, cestassaṽ, des douns, regardz & autres ꝓfitz q̃ les ditz ministres ꝓnent du poeple p' faire lour offices, & ce q̃ attient a leur offices, & p' faire larrai des paneles, mettantz en ycelles jurours suspectz & de male fame; et de ceo q̃ les maintenours, assisours, & jurours ꝓnent douns & lower des ꝓties, dount ꝓtes & damages troꝑ grevouses aviegnent au poeple de jour en autr̃, en subṽsion de la ley & destorbance de cõmun droit, & de punir touz ceux qi enserront trovez coupables solonc ceo q̃ ley & reson le demande, a la seute sibien du Roi come de ꝓtie. Et s' ceo avoms charge noz Chaunceller & Tresorer, doier les pleintes de touz ceux qi pleindre se voudrent, & dordeiñ q̃ hastif droit & remede ensoit fait. Par quoi vo⁹ mandoms q̃ les pointz & ordinances susdites facez oṽtement monstrer & publier en nr̃e dite Citee, a fyn q̃ ceux q̃ se sentrent grevez en la forme susdite, peusent p'suir remede solonc les dites Ordinances, & q̃ nr̃e poeple peusse apcevoir nr̃e entencion & volunte en celle ꝓtie, & le desir q̃ no⁹ avoms q̃ owel droit soit fait a touz noz subgiz, sibien povres come riches, & q̃ les meffesours soient restreintz & puniz. Doñ a Westm̃ le xxviij Daṽil.

ꝓ ipm̃ Regē & Conš.

Conš br̃ia dirigunt' singulis Vicecomitibꝫ ꝓ Angl'.

Sacr̃m Justič. Vo⁹ jurrez q̃ bien & loialment ꝺverez a nr̃e Seign' le Roi & a son poeple en loffice de Justice, & q̃ loialment conseillerez nr̃e dit Seign' le Roi en ses busoignes, et q̃ vo⁹ ne conseillerez ne assenturez a chose q̃ lour p'ra t'ner a damage ou desheriteson, ꝓ quecūq, voie ou colour; & q̃ vo⁹ ne saṽez le damage ne desheriteson de lui q̃ vo⁹ ne li ferrez garnir ꝓ vo⁹ ou ꝓ autre; & q̃ vo⁹ ferrez owele ley & execucion de droit a touz ses subgiz riches & povres, saunz aṽ regard a quecūq, ꝑsone; et q̃ vo⁹ ne prendrez, ꝓ vo⁹ ne ꝓ autr̃ en prive nen apt, doun, regard, dor ne dargent ne de autre chose quecūq, q̃ a vr̃e p̃fit p'ra t'ner, sil ne soit mang̃ ou boivre, & ceo de petite value, de nul hōme qi aṽa plee ou ꝓcesse pendant devant vo⁹, tant come meisme le plee ou ꝓces ꝺra ency pendant, ne apṽs ꝓ celle cause: et q̃ vo⁹ ne prendrez fee, tant come vo⁹ ꝺrez Justicz, ne robes, de nul hōme g'unt ne petit, sinoun du Roi meismes: et q̃ vo⁹ ne durrez conseil

have ordained to do come before us at a certain Day, or before them whom We shall depute of our Counsel, such Bearers and Maintainers of divers Counties, and them do to be diligently examined and charged, that they from henceforth void them of such Maintenances or other Procurements making in the Country in Damage of our People; and that upon grievous Pains, which to them shall be shewed.

VI. Justices of Assise shall enquire of the Misdemeanours of Officers;

ITEM, We will and have ordained, That the Justices assigned to take Assises shall have Commissions sufficient to inquire in their Sessions of Sheriffs, Escheators, Bailiffs of Franchises, and their Under Ministers, and also of Maintainors, common Embraceors, and Jurors in the Country, [and [1]] of the Gifts, Rewards, and other Profits, which the said Ministers do take of the People to execute their Office, and that which pertaineth to their Office, and for making the array of Pannels, putting in the same suspect Jurors, and of evil Fame; and of ([2]) that Maintainors, Embraceors, and Jurors do take Gifts and Rewards of the Parties, whereby Losses and Damages do very grievously come daily to the People, in Subversion of the Law, and disturbance of common Right, and to punish all them which thereof shall be found guilty, according as Law and Reason requireth, as well at our Suit as at the Parties. And thereupon We have charged our Chancellor and Treasurer to hear the Complaints of all them which will complain, and to ordain that speedy Remedy be thereof made.

and punish the guilty.

The Chancellor and Treasurer to hear Complainants.

Wherefore We do command, That thou do cause the said Points and Ordinances aforesaid openly to be published and shewed [at such Places within thy Bailiwick as thou shalt think good,[3]] to the end that they which feel them grieved in the Form aforesaid, may pursue for Remedy according to the said Ordinance, and that our People may perceive our Intent and Will in this Behalf, and the desire that We have, that even Right may be done to all our Subjects, as well poor as rich, and that the Offenders be restrained and punished.

The Ordinances aforesaid to be published.

Dated at Westminster [the Seventh Day of March, the Year of our Reign of England the Twentieth, and of France the Seventh.[4]]

By the King himself and his Council.

Like Writs are directed to the several Sheriffs of England.

Oath of the Justices.*

YE shall swear, That well and lawfully Ye shall serve our Lord the King and his People in the Office of Justice, and that lawfully ye shall counsel the King in his Business, and that Ye shall not counsel nor assent to any thing which may turn him in Damage or Disherison by any Manner Way, or Colour; and that Ye shall not know the Damage or Disherison of him, whereof Ye shall not cause him to be warned by yourself, or by other; and that Ye shall do equal Law and Execution of Right, to all his Subjects, Rich and Poor, without having regard to any Person; and that Ye take not by yourself, or by other, privily nor apertly, Gift nor Reward of Gold nor Silver, nor of any other Thing which may turn to your Profit, unless it be Meat or Drink, and that of small Value, of any Man that shall have any Plea or Process hanging before you, as long as the same Process shall be so hanging, nor after for the same Cause: And that Ye take no Fee, as long as ye shall be Justice, nor Robes of any Man great or small, but of the King himself; And that Ye give none

To serve the King in their Office.

To warn the King of any Damage.

To do equal Justice.

To take no Reward of any having a Suit;

Nor Fee, nor Robes, but of the King.

[1] that is to say *MS. Tr.* 2.

[2] this *MS. Tr.* 2.

[3] *in our said City*

[4] *the twenty-eighth day of April.*

* This Oath, as here printed, immediately follows the Ordinances on the Close Roll. In all former Printed Copies this Oath has been given as Statute the Fourth of 18 Edw. III; and the Oath of the Clerks of the Chancery as Statute the Fifth of that Year: In the Harleian MS. No. 3652, the Ordinance and the Oath of the Justices are both given of the 20th Year, as in the Text; with the following Note at the End: "Et no⁹ qd Ordinacõ & sacr̃m Justič ꝑmissa irrotulant' in rot̃ Cancellar̃ Claus." After which follows the Oath of the Clerks of the Chancery, with the following Introduction: "Hii sunt punctus sacr̃i clicoꝝ Cancellarie anno eodem editi, &c." MSS. Harl. 3205 and 4871 also agree in giving all these Articles as of 20 Edw. III. In MS. Cott. XVI. the Oaths only are given under the 18th Year, but the Ordinance is not inserted in that Manuscript. The Printed Copies contain several Sentences in the Oath of the Clerks of the Chancery which do not appear in any of the MSS. See page 306.

To give no Counsel, where the King is Party.
To arrest Disturbers of Courts of Justice; or certify the King of them.
To maintain no Suit.
Not to deny Right for Letters.
To procure the King's Profit.
The Penalty of offending.

Advice or Counsel to no Man great nor small, in no Case where the King is party: And in case that any of what Estate or Condition they be, come before you in your Sessions with Force and Arms, or otherwise against the Peace, or against the Form of the Statute thereof made, to disturb Execution of the Common Law, or to menace the People that they may not pursue the Law, that Ye shall cause their Bodies to be arrested and put in Prison; and in case they be such that Ye cannot arrest them, that Ye certify the King of their Names, and of their Misprision hastily, so that he may thereof ordain a covenable Remedy; and that Ye by your self nor by other, privily nor apertly, maintain any Plea or Quarrel hanging in the King's Court, or elsewhere in the Country: And that Ye deny to no Man common Right by the King's Letters, nor none other Man's, nor for none other Cause; and in case any Letters come to you contrary to the Law, that Ye do nothing by such Letters, but certify the King thereof, and proceed to execute the Law, notwithstanding the same Letters; and that Ye shall do and procure the Profit of the King and of his Crown, with all Things where Ye may reasonably do the same: And in case Ye be from henceforth found in Default in any of the Points aforesaid, ye shall be at the King's Will, of Body, Lands, and Goods, thereof to be done as shall please him: [as God you help and all Saints.'] [1]

[1] So God you help and all his Seyntes. *MS. Tr.* 2.

ne avis a nulli g[a]unt ne petit en nul cas ou le Roi est ptie: & en cas q̃ ascunes, de quel estat q̃ ils soient, veignent devant vo[9] en vôz sessions a force & armes, ou autrement countre la pees, ou countr̃ la forme des Estatutz ent faitz, p[r] desturber execucion de cõmune ley, ou p[r] manacer les gentz qils ne puissent suir la ley, q̃ vo[9] ferrez arester lour corps & mettre en prisone; et en cas qils soient tieux q̃ vo[9] ne les puissent aresster, q̃ vo[9] ☞tifirez le Roi de lour nouns & de lour mespresion hastiement, a fin qil ent puisse ordeiñ remede; & q̃ vo[9] ne meintendrez, p vo[9] ne p autre en̄ prive nen apt, nul plee ne querele pendant en la Court le Roi, naillours en pais: et q̃ vo[9] ne delairez a nulli cõmun droit, p[r] tres du Roi ne de nul autre p autr̃ cause quecũq; & en cas q̃ ascunes tres vo[9] veignent contraires a la ley, q̃ vo[9] ne ferrez rien p[r] tieles tres, einz ☞tifierez de ceo le Roi, & irrez avant de faire la ley nyent constresteantes meismes les tres; & q̃ vo[9] ferrez & pcurez le pfit du Roi & de sa Corone es toutes choses ou vo[9] le p[r]rez faire resonablement: et en cas q̃ vo[9] soez trove en defaute desore, en nul des pointz avantditz, vo[9] ☞rez en la volunte du Roi des corps, ☞res, davoir, de faire ent ce q̃ li plerra. ([1])

[1] Si Dieu vous eide & toutes ses Seyntes. *Printed Copies.*

OATH OF THE CLERKS OF THE CHANCERY.

To serve the King in their Office.
To counsel the King.
To warn the King of any Damage.
Clerks of Course.
Writs.
Recording Attornies.
Delivering Writs.

YE shall swear, That well and lawfully Ye shall serve our Lord the King and his People in the Office of [Clerk of [1]] the Chancery, to which Ye be attitled; and Ye shall not assent nor procure the King's Disherison nor perpetual Damage to your Power; nor Ye shall do, nor procure to be done, any Fraud to any Man's Wrong, nor thing that toucheth the keeping of the Seal. And Ye shall lawfully give Counsel in the Thing that toucheth the King, when Ye shall be thereto required; and the Counsel which You know touching him, ye shall conceal. And if you know the King's Disherison, or perpetual Damage or Fraud to be done upon the Things which touch the keeping of the Seal, Ye shall put your lawful Power to repress and amend it; and if Ye cannot do it, then Ye shall certify the Chancellor, or other, which may do the same to be amended to your Intent. And for the Clerks of course shall be added: And Ye shall not bring, nor to your knowledge suffer to be brought, any Writs which Ye make out of the Court not sealed, thereof to do Execution; nor shall record any Attorney by Writs, nor without Writs, without especial Licence, if Ye have not lawfully examined the Party and the Attorney in proper Person, or at the least him that shall make Attorney in proper Person. Nor Ye shall deliver any Writ which shall be of Commandment to the Examiners, nor to the Seal, before that the same Writ be sent to you by the Commander, which thereof hath Power, unless it be to the Chancellor, or to one of the Masters, which commandeth you to make the Writs. And all the Writs which Ye shall make, Ye shall deliver to the Examiners by your own Hand, or by one Companion which is sworn to the King, if ye yourself be out of the Court because of Sickness, or other Cause necessary, so that ye cannot do it: And no Writ written of another Man's Hand shall be delivered to the Examiners under your name, as yours, nor no Name shall be put under your Writs, but your own: [as God you help, and all Saints.[2]]

[1] *MS. Tr.* 2. omits.

[2] So God you help and his Seyntis. *MS. Tr.* 2.

Ex MS. Harl. No. 3652.

VOUS jurez, q̃ bien & loialment ☞veretz a nr̃e ☩[r] le Roi & a son poeple en office de la Chancellerie, a quele vous estes attitle; & nassenterez ne pc'ez desh̃itteson ne ppetuel damage de nr̃e ☩[r] le Roi a vr̃e poair; ne fraude ferrez, ne pc'ez est̃ fait a tort [de nul autre [1]] de poeple, nen chose q̃ touche la gard del Seal. Et loialement [concelerez [2]] les choses q̃ touchent le Roi q[n]t vous ☞rez en requis; Et le conseil quele vous saverez touchant lui concelerez. Et si vo[9] savez desh̃itanz ou ppetuel damage du Roi, ou fraude estre fait s[r] choses q̃ touchent la gard du dit seal, vo[9] mettrez vr̃e loial [peine [3]] de ce redresser & amender; & si ce ne p'rez faire, vous [assignerez [4]] le Chanc̃, ou autre q̃ le poet ([5]) amender a vr̃e entencion. Et addat[r] p clicis de cursu. Et vous ne porterez ne soeffrez estre porte a vr̃e [assent,[6]] brief q̃ vous ferrez hors du Co't, nient ensealle ([7]) Ne nul atto'ne recorderez ne p brief ne sanz brief, ([8]) si vous neiez loialment examinez la ptie & latto'ne en ppre psone ou a meins celui qi ferra latto'ne en ppre psone. Ne nul brief q̃ soit de comandement ne [ferrez [9]] avant q̃ mesme le brief soit comande a vous p comando[r] qi poair [eit: [10]] Et touz lez briefs q̃ vous ferrez, liv̄ez as examino's p vr̃e main demesne ([11]) et ([12]) nul brief esc'pt dautri main liv̄ez as examino's ([13]).

[1] de nully *MS. Harl.* 3205.—dascuns *Printed Copies.*
[2] counseillerez *MS. Harl.* 4871: *MS. Cott. XVI: Printed Copies.*
[3] poair *Printed Copies.*
[4] aviserez *Printed Copies.*
[5] faire *Printed Copies.*
[6] escient *MS. Harl.* 4871: *MS. Cott. XVI: Printed Copies.*
[7] dent faire execution; *Printed Copies.*
[8] sauns especial counge, et *Printed Copies.*
[9] liverez a les examinours ne au seale, *Printed Copies.*
[10] en eit, sil ne soit a Chancellour, ou a un des meisters que vous commandera de faire les brieves: *Printed Copies.*
[11] ou par une compaignon qui est jurez au Roi, si vous mesmes soiez hors du court per cause de maladie, ou autre cause necessaire ne les poez faire: *Printed Copies.*
[12] que *Printed Copies.*
[13] soutz vostre noun come le vostre, ne nul noun forsque le vostre mettres sur vos briefs. Si vous eide Dieu et ses Seintes. *Printed Copies.*

Anno 23° EDWARDI, III. A.D. 1349.

Ex Rot. Claus. 23 Ed. III. P. 1. m. 8, d.

D'pclamacõe faciend de ꝟvientibꝫ.

RVič [Kanč[1]] Saltm. Quia magna ps ꝑpli & maxime oparioꝝ & ꝟvientiū jam in ista pestilencia est defuncta, nonnulli [videndes[2]] necessitatem dñoꝝ & paucitatem ꝟvientū ꝟvire nolunt nisi salaria recipiant excessiva, & alii mendicare malentes in ocio q'm p laborem querere victū suū; Nos pensantes g'via que ex carencia ꝑsertim cultoꝝ & oparioꝝ hujusmodi ꝓvenire possent incõmoda, sup hoc cum ꝑlatis & nobilibꝫ & pitis aliis noꝝ assistentibꝫ deliberacõem ꝟuim⁹ & tractatū; de quoꝝ unanimi consilio duxim⁹ ordinand:

Qđ quilibet homo & femina regni nr̃i Angl, cujuscumq, condicõis fuit liꝺe vel ꝟvilis, potens in corpore & infra etatem sexaginta annoꝝ, non vivens de mercatura, nec ctum exĉens artificiū, nec ħens de suo ꝓprio unde vive vel ꝑram ꝓpriam circa culturam cujus se potit occupare, & alti non ꝟviens, si de ꝟviendo in ꝟvicio congruo considerato statu suo fuit requisitus, ꝟvire teneat' illi qui ip̃m sic duxit requirend; & pcipiat dumtaxat vadia liberacões mĉedes seu salaria, que in locis ubi ꝟvire debeat consueta sunt prestari anno regni nr̃i Angl vicesimo, vel annis cõibꝫ quinq, vel sex ꝑx ꝑcedentibꝫ. Proviso qđ dñi ꝑferant' aliis in nativis seu ꝑram suā tenentibꝫ sic in ꝟvicio suo retinend. Ita tamen qđ hujusmodi dñi sic retineant tot quot sibi fuint necessarii & non plures; & si ꝺlis vir vel mulier, sic de ꝟviendo requisitus vel requisita, hoc face nolit, hoc ꝓbato p duos fideles hões coram Vič [Ballivo dño[3]] aut Constabular̃ ville ubi hoc fieri contigit, statim p eos vel eoꝝ aliquē capiat' & mittat' ꝓxie Gaole, & ibidem sub arta moret' custodia quousq, securitatem invenit de ꝟviendo in forma ꝑđca.

Et si messor, falcator aut alius oparius vel ꝟviens, cujuscūq, stat⁹ fuit seu condicõis, in ꝟvicio alicujus retentus, ante finem ꝑmini concordati, a dco ꝟvicio sine causa rõnabili vel licencia recesserit, penam imprisonamenti subeat, et nullus sub eadem pena talem in ꝟvicio suo recipe vel retinere ꝑsumat. Nullus eciam vadia liberacões mĉedes seu salaria majora solito sicut ꝑđcm est alicui solvat vel solve ꝓmittat; nec aliquis ea alio modo exigat vel recipiat, sub pena dupli illius quod sic solutum [ꝓmissum fuit, aut exactum vel receptum[4]] illi qui ex hoc se senserit g'vatū (5); & nullo ꝺli volenti ꝓsequi, tunc cuicumq, de populo qui hoc ꝓsecutus fuit applicand; et fiat hujusmodi ꝓsecucio in Cur̃ dñi loci quo ꝺlis casus acciderit: & si dñi villaꝝ vel manioꝝ cont' ꝑsentem ordinacõem nr̃am, p se vel ministros suos, in aliquo venire ꝑsumpserint, tunc in Com̃ Wapentach & Trithingis, vel aliis Cur̃ nr̃is hujusmodi, ad penā tripli p eos vel ministros suos sic soluti vel ꝓmissi, in forma ꝑđca fiat ꝓsecucio cont' eos; et si forsan aliquis ante ꝑsentem ordinacõem cum aliquo de sic ꝟviendo p majori salario convenit, ip̃e rõne dce convencõis ad solvend ult' id quod alias ꝺli consuetū est solve minime teneat'; immo solve plus sub pena ꝑđca non ꝑsumat.

[1] Interlined on the Roll: Old Printed Copies read "Edwardus Dei gracia &c. Venerabili in Xp̃o patri W. eadem gracia Archiep̃o Cantuarie tocius Anglie Primati, Salutem."
[2] videntes *MS. Reg. 19 A. XIV.*
[3] Ballivis Domini Regis *Printed Copies.*
[4] Interlined on the Roll.
[5] hoc prosequenti *Printed Copies.*

The Statute of Labourers.[1]

For making Proclamation concerning Servants.

[EDWARD by the Grace of God, &c. to the Reverend Father in Christ, William, by the same grace Archbishop of Canterbury, Primate of all England,[2]] Greeting. Because a great Part of the People, and especially of Workmen and Servants, late died of the Pestilence, many seeing the Necessity of Masters, and great Scarcity of Servants, will not serve unless they may receive excessive Wages, and some rather willing to beg in Idleness, than by Labour to get their Living; We, considering the grievous Incommodities, which of the lack especially of Ploughmen and such Labourers may hereafter come, have upon deliberation and treaty with the Prelates and the Nobles, and Learned Men assisting Us, of their mutual counsel Ordained:

I. Who shall be bound to serve, when required.

THAT every Man and Woman of our Realm of England, of what condition he be, free or bond, able in body, and within the age of threescore years, not living in Merchandize, nor exercising any Craft, nor having of his own whereof he may live, nor proper Land, about whose Tillage he may himself occupy, and not serving any other, if he in convenient Service, his estate considered, be required to serve, he shall be bounden to serve him which so shall him require; and take only the Wages, Livery, Meed, or Salary, which were accustomed to be given in the places where he oweth to serve, the xx. year of our Reign of England, or five or six other common years next before. Provided always, that the Lords be preferred before other in their Bondmen or their Land Tenants, so in their Service to be retained: so that nevertheless the said Lords shall retain no more than be necessary for them; and if any such Man or Woman, being so required to serve, will not the same do, that proved by two true Men before the Sheriff, [or the Bailiffs of our Sovereign Lord the King, or the Constables[3]] of the Town where the same shall happen to be done, he shall anon be taken by them or any of them, and committed to the next Gaol, there to remain under strait keeping, till he find surety to serve in the form aforesaid.

The Rate of Wages fixed.

Persons refusing to serve, shall be imprisoned.

II. Labourers departing from their Service imprisoned.

ITEM, If any Reaper, Mower, or other Workman or Servant, of what estate or condition that he be, retained in any Man's Service, do depart from the said Service without reasonable Cause or Licence, before the Term agreed, he shall have Pain of Imprisonment. And that none under the same Pain presume to receive or to retain any such in his Service.

III. The old Wages, and no more, shall be given to Servants.

ITEM, That no Man pay, or promise to pay, any Servant any more Wages, Liveries, Meed, or Salary than was wont, as afore is said; nor that any in other manner shall demand or receive the same, upon Pain of doubling of that, that so shall be paid, promised, required, or received, to him which thereof shall feel himself grieved, pursuing for the same; and if none such will pursue, then the same to be applied to any of the People that will pursue; and such Pursuit shall be in the Court of the Lord of the Place where such Case shall happen.

IV. Lords of Towns or Manors offending shall forfeit Treble Value.

ITEM, If the Lords of the Towns or Manors presume in any Point to come against this present Ordinance either by them, or by their Servants, then Pursuit shall be made against them in the Counties, Wapentakes, Tithings, or such other Courts, for the Treble Pain paid or promised by them or their Servants in the form aforesaid; and if any before this present Ordinance hath covenanted with any so to serve for more Wages, he shall not be bound by reason of the same Covenant, to pay more than at another time was wont to be paid to such Person; nor upon the said Pain shall presume any more to pay.

[1] *An Ordinance concerning Labourers and Servants.*
[2] *The King to the Sheriff of Kent,* [3] *Bailiff, Lord or Constable*

V. Wages of Artificers.

ITEM, That Sadlers, Skinners, White-tawers, Cordwainers, Taylors, Smiths, Carpenters, Masons, Tilers, [Shipwrights,[1]] Carters, and all other Artificers and Workmen, shall not take for their Labour and Workmanship above the same that was wont to be paid to such Persons the said twentieth year, and other common years next before, as afore is said, in the Place where they shall happen to work; and if any Man take more, he shall be committed to the next Gaol, in manner as afore is said.

Offenders shall be imprisoned.

VI. Victuals shall be sold at reasonable Prices.

ITEM, That Butchers, Fishmongers, [Regrators,[2]] Hostelers, Brewers, Bakers, Pulters, and all other Sellers of all manner of Victual, shall be bound to sell the same Victual for a reasonable Price, having respect to the Price that such Victual be sold at in the Places adjoining, so that the same Sellers have moderate Gains, and not excessive, reasonably to be required according to the distance of the Place from whence the said Victuals be carried; and if any sell such Victuals in any other manner, and thereof be convict in the manner and form aforesaid, he shall pay the Double of the same that he so received, to the Party damnified, or, in Default of him, to any other that will pursue in this behalf: And the Mayors and Bailiffs of Cities, Boroughs, Merchant-Towns, and others, and of the [Ports of the Sea, and other Places,[3]] shall have Power to inquire of all and singular which shall in any thing offend the same, and to levy the said Pain to the Use of them at whose Suit such Offenders shall be convict; and in case that the same Mayors and Bailiffs be negligent in doing Execution of the Premises, and thereof be convict before our Justices, by Us to be assigned, then the same Mayors and Bailiffs shall be compelled by the same Justices to pay the Treble of the Thing so sold to the Party damnified, or to any other in Default of him that will pursue; and nevertheless towards Us they shall be grievously punished.

Penalty for selling otherwise.

Mayors and Bailiffs of Cities shall inquire of Offenders.

Penalty against Mayors and Bailiffs for Negligence.

VII. No Person shall give any thing to a Beggar that is able to labour.

ITEM, Because that many [valiant[4]] Beggars, as long as they may live of begging, do refuse to labour, giving themselves to Idleness and Vice, and sometime to Theft and other Abominations; none upon the said Pain of Imprisonment shall, under the colour of Pity or Alms, give any thing to such, which may labour, or presume to favour them [towards their Desires,[5]] so that thereby they may be compelled to labour for their necessary Living.

[1] Boatmen *MS. Tr.* 2.
[2] Not in Original; nor in *MS. Tr.* 2; nor Old Printed Copies.
[3] Ports and Places of the Sea, *MS. Tr.* 2.
[4] right myghti and strong *MS. Tr.* 2. [5] *in their sloth*

We command you, firmly enjoining, that all and singular the Premises in the Cities, Boroughs, Market Towns, Seaports, and other Places in your Bailiwick, where you shall think expedient, as well within Liberties as without, you do cause to be publickly proclaimed, and to be observed and duly put in Execution as aforesaid; and this by no means omit, as you regard Us and the common Weal of our Realm, and would save yourself harmless. Witness the King at Westminster the 18th day of June. By the King himself and the whole Council.

Like Writs are directed to the Sheriffs through England.

The King to the Reverend Father in Christ W. by the same Grace, Bishop of Winchester, Greeting. "Because a great part of the People," as before, until "for their necessary Living," and then thus: And therefore We intreat you that the Premises in every of the Churches, and other Places of your Diocese, which you shall think expedient, you do cause to be published; directing the Parsons, Vicars, Ministers of such Churches and others under you, to exhort and invite their Parishioners by salutary admonitions, to labour, and to observe the Ordinances aforesaid, as the present necessity requireth: And that you do likewise moderate the Stipendiary Chaplains of your said Diocese, who, as it is said, do now in like manner refuse to serve without an excessive Salary; and compel them to serve for the accustomed Salary, as it behoveth them, under the Pain of Suspension and Interdict. And this by no means omit, as you regard Us and the common Weal of our said Realm. Witness, &c. as before.

By the King himself and the whole Council.

Like Letters of Request are directed to the several Bishops of England, and to the Keeper of the Spiritualties of the Archbishoprick of Canterbury, during the Vacancy of the See, under the same date.

Item Sellarii, pelletarii, allutar̃, sutores, cissores, Fabri, Carpentar̃, Cementar̃, Tegular̃, batellar̃, carectar̃, & quicūq; alii artifices & opar̃, non capiant p̄ labore & artificio suo ult[a] id quod dc̄o anno vicesimo & aliis cōib; annis p̄cedentib; ut p̄mittit[r], in locis quib; eos opari contig̃it talib; solvi consuevit; et si quis plus recepit gaole p̄xie modo quo p̄mittit[r] cōmittat[r].

Item qđ Carnifices, Piscenar̃, Hostellar̃, Braciatores, Pistor̃, Pullettar̃, & om̄es alii Venditores Victualiū quoc̄umq;, teneant[r] hujusmodi victualia vendere p̄ p̄cio rōnabili, h̄ita consideracōe ad p̄ciū quo hujusmodi victualia in locis p̄pinquis vendunt[r]: Ita qđ h̄eant hujusmodi venditores moderatum lucrū, non excessivū, p̄ut distancia locoꝝ a quib; victualia hujusmodi cariant[r] dux̄it rōnabiliꝑ requirend; et si quis victualia hujusmodi alio modo vendiderit, & inde in forma p̄dca convictus fu͞it, solvat duplū illius quod recepit dampnificato, vel in defc̄u illius alt̄i qui p̄sequi volu͞it in hac p̄te: et h̄eant potestatem Major & Ballivi Civitatū & Burgoꝝ villaꝝ m̄catoriaꝝ & aliaꝝ, ac portuū & locoꝝ maritimoꝝ, ad inquirend de om̄ib; & singl̄is qui cont[a] hoc in aliquo deliquerint, & ad penā p̄dcam ad opus illoꝝ, ad quoꝝ sectā hujusmodi delinquentes convicti fu͞int, levand; & in casu quo iidem Major & Ballivi execuc̄oem p̄missoꝝ face neclex̄int, & de hoc coram Justic̄ p̄ nos assignand convicti fu͞int, tunc iidem Major & Ballivi ad triplū rei sic vendite hujusmodi dampnificato, vel alt̄i in defc̄u illius p̄sequenti, solvend p̄ eosdem Justic̄ compellant[r], & nichilominus p̄sus nos g[a]vit̄ puniant[r].

Et quia multi validi mendicantes, q[a]mdiu possent ex mendicatis elemosinis vit̄e, laborare renuunt, vacando ociis & peccatis & quandoq; latrociniis & aliis flagiciis, nullus sub pena imprisonamenti p̄dca, talib; qui cōmode laborare pot̄unt, sub colore pietatis vel elimosine quic-q[a]m dare seu eos in sua desidia confovere p̄sumat, ut sic compellant[r] p̄ vite necessar̃ laborare.

[1] Tibi p̄cipim[s] firmit̄ injungentes qđ p̄missa om̄ia & singula in Civitatib; Burgis & Villis m̄catoriis Portub; Maris & aliis locis in balliva tua ubi expedire videris, tam infra l͞ibtates q[a]m ext[a], publice p̄clamari & teneri, & execuc̄oem debitam inde fieri fac̄, sicut p̄dcm est; Et hoc sicut nos & cōem utilitatem regni nr̄i diligis & te ip̄m indempnem ꝟvare volu͞is nullatenus omittas. T. R. apud Westm̄ xviij die Junii.

p̄ ip̄m R̄ & tot̄ cons̄.

Consilia ꝺria dirigunt[r] singulis Vicecomitib; p̄ Angl̄.

R̄ venabili in x̄po p̄ri W. eadem g̃ra Ep̄o Wyntoñ, Salīm. Quia magna p̄s populi &c. ut s[a] usq; p̄ vite necessario laborare, & tunc sic: Et ideo vos rogam[s] qđ p̄missa in singulis eccl̄iis & locis aliis vr̄e dioc̄ quib; expedire videritis publicari fac̄; mandantes Rectoribꝫ, vicariis eccl̄iaꝝ hujusmodi ministris & aliis subditis vr̄is, ut pochianos suos ad laborand & ad tenend ordinac̄oes p̄dcas, sicut instans necessitas exigit, salutaribꝫ monitis solicitent & inducant: Vos eciam Capellanos Stipendiarios dc̄e vr̄e dioc̄, qui simili͞ jam sine excessivo nolunt ut dici͞ ꝟvire salario, compescatis; & ad ꝟviend p̄ consueto salario p̄ut expedit, sub pena suspensionis & inp̄dci compellatis. Et hoc sicut nos & cōem utilitatem dc̄i regni nr̄i diligitis, nullatenus omittatis T. ut s[a].

p̄ ip̄m Regem & totū cons̄.

Cons̄ l̄r̃e rogative dirigunt[r] singulis Ep̄is Angl̄; ac Custodi Sp̄ualitatis Archiep̄atus Cantuar̃, sede vacante, sub eadem data.[1]]

(1) See the Note in the next succeeding Page.

The following Conclusion of the foregoing Ordinance is from the Oldest Printed Copy of the Text; the various Readings are from MS. Reg. 19 *A. XIV. in The British Museum, from whence this Ordinance was printed in Cay's Edition of the Statutes: In that Manuscript it is entitled* 'Statutum de Operariis.' *The Translation is from the Edition published by the King's Printers in* 1618, *usually called Rastall's.*

Per quod dominus Rex xiiij die Junii anno regni sui vicesimo ꝑcio, singulis Vicecomitibꝫ Anglie per diversa brevia ꝑcepit, q̄ premissa omnia & singula ī Comitatibus, Burgis, Villis mercatoꝝ, portubus maritinis, & aliis locis in baillivis suis ubi expediri viderint publice ꝓclamari & teneri, & execucionem debitam inde fieri facerent ut predictum est. Subsequenter [enim [1]] Dominus Rex, ex populari questione accipiens ipsum populum ꝑpter huiusmodi excessiva Stipendia Liberaciones, & ꝑcia, que a ꝟvitoribus operatoribus & artificibꝰ coacto solvebantur, [aliꝰ [2]] deprimi [sub [3]] decima & quītedecima ipsū ꝓtingentes solvi nō poterant, nisi aliud remediū ꝓvideretr, avertensq̄ coactiones extorciones fore manifestas, & non fuit aliq[s] qui contra huiusmodi delinquentꝫ ꝓsequebatur, ad dictū comoꝺ sic ordinatū optinendū, per quod equaliꝰ consonebat, ut quod usibꝰ singularibus sic ordinatū fuerit applicandū, ipsis nō prosequentibus nec prosequi volentibus in publicum cōmodum cōverteretur, ex deliberacione consilii sui adiciēdo duxerit ordinandum, q̄ omnes & singuli operarii, ꝟvientes & artifices, q̄ꝭ viri q̄ꝭ mulieres, cujuscūq̄ status vel cōdicionis fuerint, [pluis [4]] ꝑ [laborariis [5]] ꝟviciis & artificiis suis q̄ⁱ anno vicesimo, & aliis annis supradictis, solebant capere capientes, ad totam illā summā qⁱm ultra receꝑint, cū aliis sūmis tā ꝑ tꝓe tūc ꝑterito qᵒ stipēdia salaria liberacōes & ꝑcia augmētata fuerīt, tā ꝑ tꝓe tūc futuro, assideretr q̄ tota illa sūma ultra sic recepta ([6]) singlis eoꝝꝺ levaretr & colligetr ad opᵒ regis, [ī allienacōeꝫ [7]] sigłaꝝ villaꝝ uñ dicti artifices ꝟvitores & oꝑarii fuerīt, & ī auxiliū solucōis sūmaꝝ ad q^s eeꝺ ville seu hōies eaꝝ, [& [8]] decimā & q̄ntādecimā tūc adhuc currētes fuerīt assessi; Ita semp finitis decima & q̄ntadecima, tota illa pecunia liberacōes & ꝑcia, vł valores liberacionū eoꝝꝺ, q̄ ultra ut ꝑmittitr ex tūc [r̄cipēt [9]] ab eis & eorum singulis, ad opus Regis in subleviacionem & supportacionem regni Anglie, per illos quos ad hoc diceret Rex assignandum levarentur & colligerentur; [illis qui [10]] propter hoc servire rennuunt, vel summas per eos sic ultra receptas & sup [eas [11]] assessas solvere, & artificia sua & opa exercere, statim ꝑ taxatores & collectores decime & quītedecime ꝑdictaꝝ vel eoꝝ aliquē, ([12]) in singulis villis ad ꝑmissa exequēda deputanꝺ, vel ꝑ baillivos locorū seu cōstabularios villaꝝ, cū de hoc eis cōstaret, arestarentur & gaole ꝓmitterentr, in eoꝺ detinēꝺ quousq̄ ad serviēꝺ securitatem ꝑstiterint, & solverint q̄ sic ultra receperint, juxta ordinaciones easꝺ, vł donec aliud inde rex duxerit demandanꝺ. Et sēp ītēcionis extitit regis & consilii sui q̄ secunꝺ primā ordinacionē, liceret & liceat cuilibet ꝓtra excedentes eādem vel ei non parentes ꝑseq[i], & applicari suo usui quod ꝑ [ipsum [13]] ꝓcedit ꝑsequēt &c. ([14]) Et ideo mandat dñs rex Archiepiscopis & Episcopis, q̄ premissa in singulis locis dioc̄ suaꝝ quibuscunq̄ facere publicari manꝺ rectoribꝰ & aliis subdiocesanis, q̄ pochianos suos ad laborandꝺ, juxta tēporis necessitatem solit̄ indictā, ac eciam cappłanos stipendiaꝝ dicte sue diocesis, q[i] jam dum excessive capiūt & nolnt ut dicitr ꝑ sallario ꝓpetenti, compescantur ad ꝟviendum pro consueto sallario ꝓut expedit, sub pena suspensionis & interdicti, compellentes. Et hoc sicut nos & cōmunē utilitatem regni nostri diligitis nullatenus omittatis. D. &c. die & anno supra dictis.

[1] idm̄ [2] taliter [3] qꝺ
[4] plꝰ [5] laboribꝫ [6] a
[7] in alleviacōe [8] ad
[9] ꝑcipent & recipent [10] et illi qui forsan
[11] eos [12] seu alios ꝑ illos vel eoꝝ aliquem
[13] ipm̄ [14] Explicit *MS. Reg.*

Wherefore our said Sovereign Lord the King, the xiiij. day of June, the xxiij. year of his Reign, hath commanded to all Sheriffs of England by divers Writs, that they shall do openly to be proclaimed and holden, all and singular the premises in the Counties, Boroughs, Merchant Towns, Sea-ports, and other places in their Bailiwicks where to them shall seem expedient, and that they do thereof due execution, as afore is said.

Subsequently, our Sovereign Lord the King perceiving by the common complaint, that his People, for such excessive Stipend, Liveries and Prices, which to such Servants, Labourers, and Workmen were constrainedly paid, be oppressed, and that the Disme and Quinzime to him attaining might not be paid, unless Remedy were therefore provided: Regarding also the Coactions and manifest Extortions, and that there was no man which against such Offenders did pursue for the said Commodity so ordained to be obtained: Wherefore it was consonant, that that Thing which was ordained to be applied to singular Uses, seeing that the same Persons did not nor would not pursue, should be converted to a Publick and Common Profit, by the Advice of his Counsel hath Ordained, That all and singular Workmen, Servants, and Artificers, as well Men as Women, of whatsoever estate or condition they be, taking more for their Labours, Services, and Workmanship than they were wont to take the said xx. year and other years aforesaid, should be assessed to the same Sum, which they shall receive over and above with other Sums, as well for the Time past, when the Stipend, Wages, Liveries and Prices were augmented, as for the Time then to come; and that the said whole Sum received over and above, should be levied of every of them and gathered to the King's Use, in Alleviation of every of the Towns whereof the said Artificers, Servants, and Labourers be, towards the Payments of the Sums of the Disme and Quinzime yet running, whereunto the same Towns or People of the same were assessed. So that always, the same Disme and Quinzime ended, all the same Money, Liveries, and Prices, or the Value of the same Liveries, which, as afore is said, should be over and above received of them and every of them, should be levied and gathered by them whom the King will thereto assign, to the King's Use, in Alleviation and Supportation of the Realm of England: And that they which for the same to serve, or the said Sums so by them over and above received, and before assessed, to pay, and their Crafts and Work to exercise, do refuse, they shall be incontinently arrested by the Taxers and Collectors of the said Disme and Quinzime, or any of them, ([1]) in every of the said Towns deputed to execute the premises, or by the Bailiffs of the Places or Constables of the Towns, when they be thereof certified, and committed to the Gaol, there to remain till they have found Surety to serve, and shall pay that that they shall above receive, according to the same Ordinances, or till the King shall some other Thing thereof demand. And always it is the Intent of the King and of his Counsel, that according to the first Ordinance, it should be lawful, and shall be lawful, to every Man to pursue against all exceeding the same, or not obeying to the same, and the thing recovered to be applied to his own Use. And therefore our said Sovereign Lord the King hath commanded all Archbishops and Bishops that they do to be published the Premises in all Places of their Dioceses, commanding the Curates and other Subdiocesans, that they compel their Parochians to labour, according to the Necessity of the Time, and also their Stipendiary Priests of their said Dioceses which do now excessively take, and will not, as it is said, serve for a competent Salary, [as hath been accustomed,[2]] upon Pain of Suspension and Interdiction: And that in no wise ye omit the same, as ye love Us and the Common Wealth of our Realm. Dated the day and year aforesaid.

[1] *or by others, by them or any of them*

[2] *to serve for the accustomed Salary, as is expedient,*

Anno 25° EDWARDI, III. A.D.1350-1 & 1351-2.*

In Margine Rotuli.

Statutum p' hiis qui nati sunt in p'tibz tr̃ansmarinis: de anno vicesimo quinto R. E. t'cii.

A STATUTE for those who are born in Parts beyond Sea. Of the TWENTY-FIFTH YEAR of K. EDWARD, THE THIRD.

STATUTE THE FIRST.†

OUR Lord the King, at his Parliament holden at Westminster, at the Utas of the Purification of our Lady, the year of his Reign of England the Five and twentieth, and of France the Twelfth, considering the great Mischiefs and Damages which have happened to the People of his Realm of England, as well because that the Statutes ordained before this Time have not been holden and kept as they ought to be, as because of the mortal Pestilence that late reigned, and willing to provide for the Quietness and common Profit of his said People convenient Remedy; therefore by the Assent of the Prelates, Earls, Barons, and other great Men, and all the Commons of his said Realm summoned to the Parliament, hath ordained and established the Things underwritten, videlicet: Because that some People be in doubt if the Children born in the Parts beyond the Sea, out of the Ligeance of England, should be able to demand any Inheritance within the same Ligeance, or not, whereof a Petition was put in the Parliament late holden at Westminster, the Seventeenth Year of the Reign of our Lord the King that now is, and was not at the same Time wholly assented; our Lord the King, willing that all Doubts and Ambiguities should be put away, and the Law in this Case declared and put in a Certainty, hath charged the said Prelates, Earls, Barons, and other wise Men of his Council, assembled in this Parliament, to deliberate upon this Point; all which of one assent have said, That the Law of the Crown of England is, and always hath been such, that the Children of the Kings of England, in whatsoever Parts they be born, in England or elsewhere, be able and ought to bear the Inheritance after the death of their Ancestors; which Law our said Lord the King, the said Prelates Earls, Barons, and other great Men, and all the Commons assembled in this Parliament, do approve and affirm for ever. And in the Right of other Children born out of the Ligeance of England in the Time of our Lord the King, they be of one Mind accorded, that Henry Son of John de Beaumond, Elizabeth Daughter of Guy de Bryan, and Giles Son of Ralph Dawbeny, and other which the King will name, which were born beyond the Sea, out of the Ligeance of England, shall be from henceforth able to have and enjoy their Inheritance after the death of their Ancestors, in all Parts within the Ligeance of England, as well as those that should be born within the same Ligeance. And that all Children Inheritors, which from henceforth shall be born without the Ligeance of the King, whose Fathers and Mothers at the Time of their Birth be and shall be at the Faith and Ligeance of the King of England, shall have and enjoy the same Benefits and Advantages, to have and bear the Inheritance within the same Ligeance, as the other Inheritors aforesaid in Time to come; so always, that the Mothers of such Children do pass the Sea by the Licence and Wills of their Husbands. And if it be alledged against any such born beyond the Sea, that he is a Bastard, in case where the Bishop ought to have Cognisance of Bastardy, it shall be commanded to the Bishop of the Place where the Demand is, to certify the King's Court where the Plea thereof hangeth, as of old Times hath been used in the Case of Bastardy alledged against them which were born in England.

The King's Children declared inheritable in England, wheresoever born.

The Children of certain Persons born beyond the Sea declared inheritable.

All Children born beyond Sea, of Parents in the King's Allegiance, henceforth inheritable.

Trial of Bastardy in such Cases.

Ex magno Rot. Stat. in Turr. Lond. m. 19.

Nr̃e Seign^{r} le Roi, a son plement tenuz a Westm̃ a les Octaves de la Purificacion de nr̃e Dame, lan de son regne Dengleţre vintisme quint, & de F^{n}ce douszisme, considerant les g^{n}tz meschiefs & damages q̃ sont avenuz au poeple de son roialme Dengleţre, sibien p^{r} ce q̃ les estatuz devant ces heures ordenez nount mie este tenuz & gardez come ils dev̄oient, come p̄ cause de la pestilence mortiele q̃ nadgairs dura, & veullant p^{r}voier au quiete & cõe p̄fit de son poeple s^{r} ce remed̄ covenable, p̄ assent de Prelatz, Countz, Barons & aut̄s g^{n}tz, & tote la Cõe de son dit roialme, au dit plement somons, ad ordene & establi les choses souzescriptes, Cest assavoir: p^{r} ce q̃ ascunes gentz estoient en awere si les enfantz neez es pties de dela, dehors la ligeance dengleţre, ẏoient ables a demander hitage deinz meisme la ligeance ou nemie, de quoi peticion feust mis autrefoitz en plement tenuz a Weymonster lan nr̃e dit Seign^{r} le Roi dys & septisme, & ne feust mie a tieu temps en tout assentu, nr̃e dit Seign^{r} le Roi, veulliant q̃ totes doutes & awers feussent oustez & la lei en ce cas declaree & mis en ẽtein, fist charger les Prelatz, Countz, Barons, & aut̄s sages de son conseil, assemblez a ce parlement, a faire deliberacion s^{r} cel point; Les queux dun assent ount dit q̃ la lei de la Corone Dengleţre est, & ad este touz jours tiele, q̃ les enfantz des Rois Dengleţre, queu part qils soient neez en Engleţre ou aillo's, sont ables & deivent porter heritage, ap̄s la mort lour auncest̄s; la quele lei nr̃e Seign^{r} le Roi, les ditz Prelatz, Countz, Barons, & aut̄s g^{n}tz, & tote la Cõe assemblez el dit plement, approevent & afferment p^{r} touz jours: et endroit des aut̄s enfantz, neez hors de la ligeance Dengleţre en temps de nr̃e dit Seign^{r} le Roi, si sont ils uniement acordez q̃ Henri fitz Johan de Beaumound, Elizabeth fit̄ Guy de Bryan, & Giles fitz Rauf Daubeneye, [& aut̄s q̃ux le Roi vorra nomer[1]] qi nasquirent p̄ dela hors de la ligeance Dengleţre, soient desore ables davoir & enjoier leur hitages, ap̄s la mort lour auncest̄s tote ptz deinz la ligeance Dengleţre, si avant come ceux qi nasquirent deinz meisme la ligeance: et q̃ touz les enfantz heriters, qi ẏront neez desore dehors la ligeance le Roi, des queux enfantz les piere & miere au temps du nestre sont & ẏront a la foi & de la ligeance du Roi Dengleţre, eient & enjoient meismes les b̄nfice & avantage dav̄ & porter heritage deinz la dite ligeance, come les aut̄s heriters avantditz, en temps avenir; Issint totes foitz q̃ les mieres de tieux enfantz passent la meer p̄ conge & volunte de lour barons. Et si alleggee soit, contre nul tiel nee p̄ dela, qil est bastard, en cas ou Levesq̄ doit avoir conissance de bastardie, soit maunde a Levesq̄ du lieu la ou la demande est de ẽtifier la Court le Roi ou le ple ent pend, sicome auncienement ad este usee en cas de bastardie, alegge contre ceux qi nasquirent en Engleţre.

[1] Interlined on the Roll. *Rot. Parl.* reads "q̃ A. B. C. &c. qi nasqirent."

* In all former Printed Copies the several Statutes of this Year have been inaccurately arranged; the Statutes of the Two respective Parliaments being intermixed with each other. In the present Volume they are printed according to the Dates of the Parliaments, and in the order in which they are entered on the Statute Roll. The Effect of this is that of the Six Statutes entered on the Statute Roll, Statute the Fifth is the only one which retains the same Place in this Volume as in all former Printed Copies.

† This has been given as Statute the Second of this Year in all former Printed Copies. On the Parliament Roll of 25 Ed. III. P. 1. nu. 41. is an Entry of this Statute, as part of a Statute entitled in the Margin 'Lestatut des enfantz nez pdela, des marchandises vendre, &c.'

xxv. **Statuta in p'liamento tento apud Westm̄, in Octabis Purificac'ōis b'e Marie Virginis anno regni D'ni Edwardi Regis Anglie & Francie, Angl' videlicet vicesimo quinto, regni vero sui Francie duodecimo.**

STATUTES in the Parliament holden at WESTMINSTER, In the Octave of the Purification of the Blessed Virgin Mary; in the Year of the Reign of our Sovereign Lord EDWARD King of ENGLAND and of FRANCE, to wit of England the TWENTY-FIFTH, and of his Reign of France the TWELFTH.

Ex magno Rot. Stat. in Turr. Lond. m. 18.

COME nadgairs contre la malice de ꝟvantz, queux furent pciouses et nient voillantz ꝟvir aꝑs la pestilence, sanz trop outrageouses lowers ꝑndre, feut ordine p nr̃e Seign' le Roi, & p assent des ꝑlatz, Nobles & autres de son conseil, q̃ tieux maꝛs des ꝟvantz, sibien hōmes come femes, fussent tenuz de ꝟvir, receyvantz salaries & gages accustumez es lieus ou ils deꝟont ꝟvir, lan du regne le dit nr̃e Seign' le Roi vintisme, ou cynk ou sis annz devant, et q̃ mesmes les ꝟvantz refusantz ꝟvir p autiele maꝛe fuissent punys p emprisonement de lour corps, sicome en mesme lordenance est contenuz plus au playn; Sur quoi cōmissions furent faites as diꝟses gentz en chescun Counte, denquere & punir touz ceaux q̃ venissent au contre; Et ja p tant q̃ done est entendre a nr̃e dit Seign' le Roi, en cest ꝑsent plement, p la peticion de la cōmune, q̃ les ditz ꝟvantz nient eiantz regard a la dite ordenance, mes a lour eses et singulers covetises, se retreent de ꝟvir as g'ntz ou as autr̃s sils neyent liꝟesons & lowers, au duble ou treble de ceo qils soloient ꝑndre le dit an vintisme & devant, a g'nt damage des g'ntz, & empovericement des touz ceux de la dite cōe, dont il estoit prie p mesme la cōe de remedie; p quoi en mesme le plement, p assent des Prelatz, Countes, Barons, & autres g'ntz, & de la dite cōe .illoq̃s assemblez, p' refreyndre la malice des ditz ꝟvantz sont ordenes et estables les choses suzescriptz, Cest assavoir: q̃ chescun charetter, Caruer, Chaceour des carues, Bercher, Porcher, Deye, & touz autres ꝟvantz ꝑignent liꝟesons & lowers accustumes le dit an vintisme & quatr̃ annz devant; issint qen pays ou furment soleit estre done ꝑignent p' le Bussel x. d. ou furment a la volunte le don', tanq̃ autrement soit ordeigne; et qils soient allowes de ꝟvir p lan entier, ou autres ꝑmes usuels, & nemye p journes, & q̃ nul ꝑigne en temps de sarcler ou feyns faire forq̃ j. d. le jo'; & fauchours des ꝑez p' lacre v. d. ou p la jo'ne v. d. & Sciours des blees en la primere symaigne daust ij. d. & en la seconde iij. d. & issint tanq̃ au fyn Daust, & meyns en pays ou meyns soleit estre done, saunz mangier ou autre curtoysie demander, doner ou ꝑndre; & q̃ tieux oꝟours portent oꝟtement en lour meyns as villes marchantz lour instrumentz, & illoeqes soient alowes en lieu cōe & nemye prive.

Itm̄ q̃ nul ꝑigne p' le batre de un quarter de furment ou segle, outre ij. d. ob. & p' le quarter dorge, feves, poys & aveynes j. d. ob. si tant soleit estre done; et en pays ou hōme soleit scier p' ꝺteyns garbes, & batre p' ꝺteyns busseux, ne ꝑigne plus nen autre manere qil soleit le dit an vintisme & devant; & q̃ mesmes les ꝟvantz soient sermentez deuxfoitz p an,

STATUTE THE SECOND.*

WHEREAS late against the Malice of Servants, which were idle, and not willing to serve after the Pestilence, without taking excessive Wages, It was ordained by our Lord the King, and by Assent of the Prelates, [Earls, Barons,'] and other of his Council, That such manner of Servants, as well Men as Women, should be bound to serve, receiving Salary and Wages, accustomed in Places where *they* ought to serve in the Twentieth Year of the Reign of the King that now is, or five or six Years before; and that the same Servants refusing to serve in such Manner should be punished by Imprisonment of their Bodies, as in the said Statute is more plainly contained: Whereupon Commissions were made to divers People in every County to enquire and punish *all* them which offend against the same: And now forasmuch as it is given the King to understand in this present Parliament, by the Petition of the Commonalty, that the said Servants having no regard to the said Ordinance, but to their Ease and singular Covetise, do withdraw themselves to serve great Men and other, unless they have Livery and Wages to the double or treble of that they were wont to take the said Twentieth Year, and before, to the great damage of the great Men, and impoverishing of all the said Commonalty, whereof the said Commonalty prayeth Remedy: Wherefore in the said Parliament, by the Assent of the said Prelates, Earls, Barons, and other great Men, (2) of the same Commonalty there assembled, to refrain the Malice of the said Servants, be ordained and established the Things underwritten (3):

I. Labourers in Husbandry.

FIRST, That Carters, Ploughmen, Drivers of the Plough, Shepherds, Swineherds, Deies, and all other Servants, shall take Liveries and Wages, accustomed the said Twentieth Year, or Four Years before; so that in the Country where Wheat was wont to be given, they shall take for the Bushel Ten pence, or Wheat at the Will of the Giver, till it be otherwise ordained. And that they be [allowed 4] to serve by a whole year, or by other usual Terms, and not by the Day; and that none pay in the Time of Sarcling or Hay-making but a penny the day; and a mower of Meadows for the Acre Five pence, or by the Day Five pence; and Reapers of Corn in the First Week of August Two pence, and the Second Three pence, and so till the end of August, and less in the Country where less was wont to be given, without Meat or Drink, or other courtesie to be demanded, given, or taken; and that [all 5] workmen bring openly in their Hands to the Merchant Towns their Instruments, and there shall be hired in a common place and not privy.

Term of Service. Wages. Mowers. Reapers. Mode of Hiring.

II. Threshers.

ITEM, That none take for the Threshing of a Quarter of Wheat or Rye over ii d. ob. and the Quarter of Barley, Beans, Pease, and Oats, i d. ob. if so much were wont to be given; and in the Country, where it is used to reap by certain Sheaves, and to thresh by certain Bushels, they shall take no more nor in other manner than was wont the said xx. year and before; and that the same Servants be sworn Two Times in the Year

Servants to be sworn;

[1] *Nobles* [2] *and* [3] that is to wit *MS. Tr.* 2.
[4] huyred *MS. Tr.* 2. [5] *such*

* Statute the First in all former Printed Copies; and entitled 'Statutum de Servientibus. The Statute of Labourers.' It is entered on the Parliament Roll of 25 Edw. III. Part I. nu. 56, (Printed Copy nu. 47,) with the following Title in the Margin 'Lestatut dartificers & ꝟvauntz.'

Servants shall stay in their Service during Summer; Saving in certain Counties.

before Lords, Stewards, Bailiffs, and Constables of every Town, to hold and do these Ordinances; and that none of them go out of the Town, where he dwelleth in the Winter, to serve the Summer, if he may serve in the same Town, taking as before is said. Saving that the People of the Counties of Stafford, Lancaster, and Derby, and People of Craven, and of the Marches of Wales and Scotland, and other Places, may come in Time of August, and labour in other Counties, and safely return, as they were wont to do before this Time; and that those, which refuse to make such Oath, or to to perform that that they be sworn to, or have taken upon them, shall be put in the Stocks by the said Lords, Stewards, Bailiffs, and Constables of the Towns by Three Days or more, or sent to the next Gaol, there to remain, till they will justify themselves. And that Stocks be made in every Town [by [1]] such occasion betwixt this and the Feast of Pentecost.

Punishment for Offences.

III. Wages of Carpenters, Masons, Tilers, &c.

ITEM, That Carpenters, Masons, and Tilers, and other Workmen of Houses, shall not take by the Day for their Work, but in manner as they were wont, that is to say; A Master Carpenter iii d. and another ii d. A Master [Free Mason [2]] iiii d. and other Masons iii d. and their Servants i d. ob. Tylers iii d. and their Knaves i d. ob. and other Coverers of Fern and Straw iii d. and their Knaves i d. ob. Plasterers and others Workers of Mudwalls, and their Knaves, by the same Manner, without Meat or Drink, i s. from Easter to Saint Michael; and from that time less, according to the Rate and Discretion of the Justices, which should be thereto assigned: And that they that make Carriage by Land or by Water, shall take no more for such Carriage to be made, than they were wont the said xx. year, and iiii. years before.

In Winter as settled by Justices.

Carriers.

IV. Cordwainers, Goldsmiths, Sadlers, &c.

ITEM, That Cordwainers and Shoemakers shall not sell Boots nor Shoes, nor none other thing touching their Mystery, in any other manner than they were wont the said xx year: Item, that Goldsmiths, Sadlers, Horsesmiths, Sporriers, Tanners, Corriers, Tawers of Leather, Taylors, and other Workmen, Artificers and Labourers, and all other Servants here not specified, shall be sworn before the Justices, to do and use their Crafts and Offices in the manner as they were wont to do the said xx. year, and in the Time before, without refusing the same because of this Ordinance; and if any of the said Servants, Labourers, Workmen, or Artificers, after such Oath made, come against this Ordinance, he shall be punished by Fine and Ransom, and Imprisonment after the Discretion of the Justices.

Other Artificers not specified.

V. Stewards and Bailiffs shall certify Offenders to Justices.

The Justices shall enquire and punish.

ITEM, That the said Stewards, Bailiffs, and Constables of the said Towns, be sworn before the same Justices, to inquire diligently by all the good Ways they may, of all them that come against this Ordinance, and to certify the same Justices of their Names at all Times, when they shall come into the Country to make their Sessions; so that the same Justices [in certification [3]] of the same Stewards, Baillifs, and Constables, of the Names of the Rebels, shall do them to be attached by their Body, to be before the said Justices, to answer of such Contempts, so that they make fine and ransom to the King, in case they be attainted; and moreover to be commanded to Prison, there to remain till they have found Surety, to serve, and take, and do their work, and to sell things vendible in the Manner aforesaid; and in case that any of them come against his Oath, and be thereof attainted, he shall have Imprisonment of Forty Days; and if he be another Time convict, he shall have Imprisonment of a Quarter of a Year, so that at every Time that he offendeth and is convict, he shall have double Pain: And that the same Justices, at every Time they come [into the Country,] shall enquire of the said Stewards, Bailiffs and Constables, if they have made a good and lawful certificate, or any conceal for Gift, Procurement, or affinity, and punish them by Fine and Ransom, if they be found guilty:

[1] *for*
[2] *free-stone mason*
[3] *on certificate*

devant Seign's, Seneschals, Baillifs & Conestables de chescune ville, a ceste chose tenir & faire, et q̃ nul de euxirra hors de la ville ou il demoert en yver, pur ꝟvir en estee, sil puisse avoir ꝟvice en mesme la ville, ꝑnant come devant est dit. Sauve q̃ les gentz des Countez de Stafford, Lancastre & Derby, & gentz de Craven, & de la marche de Gales & Descoce, & autres lieux puissent venir en temps Daust, de laborer en autres Countes, & salvement retˢner come ils soloient faire avant ses heurs; et q̃ ceux q̃ refusent de faire tiel ꝟement, ou ꝑfourner ceo qils ount jures, ou empris, soient mys en ceppes ꝑ les ditz Seign's, Seneschaux, Baillifs & Conestables des villes, ꝑ trois jours ou pluis, ou mandez a la ꝑcheyn gaole, a demorer illoeq̃s tanq̃ ils se voillent justicer; & q̃ ceppes soient faitz en chescune ville ꝑ celle encheson entre cy & la Pentecost.

Item q̃ Carpenters, Masons, Teglers & autres [covours [1]] des mesons, ne ꝑignent le jour pˢ lour oꝟeynge forsq̃ en maꝟe come ils soloient, cest assavoir Mestre Carpenter iij. d. & autre ij. d. mestre mason de franche peer iiij. d. & autre mason iij d. & lour ꝟvantz j d. ob. Teguler iij. d. & son garceon j. d. ob. & autre coꝟour de [ros & estreym [2]] iij. d. & son garceon j. d. ob. Item Plastrers & autres oꝟours des mures [darzill [3]] & lour garceons ꝑ mesme la maner; saunz mangier ou boire, cest assavoir de la Pasch̃ tanq̃ a la Seynt Michel; & de cel temps meyns solonc lafferant & discrecion des Justices qi ꝟront a ce assignez: et q̃ ceux q̃ fount cariage, ꝑ ꝟre ou ꝑ ewe, ne ꝑignent pluis pˢ tiel cariage faire, qils ne soloient le dit an vintisme, & quatre annz devant.

Item q̃ Corvoisers ne suours ne vendent botes, soulers, nautre chose touchant lour mister ꝑ autre maꝟe, qils ne soleint le dit an vintisme: et qe Orfeures, Sellers, Ferrours des chivaux, Esporoners, Tannours, Correours, Pelletˢ, Taillours, & touz autres oꝟours artificiers & laborers, & touz autres ꝟvantz nient especifiez, soient sermentez devant les dites Justices de faire & user lour artes & offices en manere come ils fesoient le dit an vintisme, & en temps devant, sanz les refuser ꝑ cause de ceste ordinance; et si nul des ditz ꝟvantz laborers oeꝟours ou artificers, aꝑs tiel ꝟment fait viegne encontre celle ordinance, soit puny ꝑ fin ranceon & emprisonement, selonc la discrecion des dites Justices.

Item q̃ les ditz Seneschalx, baillifs & Conestables des dites villes, soient ꝟmentez devant meismes les Justices denquere diligeaument, ꝑ totes les bones voies qils pˢront, de touz ceux qi vendront contre ceste ordinance, & de ctifier meismes les Justices de lour nouns, a totes les foitz qils vendront en pays pˢ faire lour Sessions; issint q̃ les dites Justices, ewe ctificacion de meismes les seneschalx, baillifs & conestables, des nouns de rebeaux, les facent attacher ꝑ lour corps, destre devant meismes les Justices a respondre des tielx contemptz, issint qils facent fyn & raunceon au Roi en cas qils soient atteintz, & outre soient cōmandez a la prisone, a y demˢer tanqils aꝟont trove seurete de ꝟvir & ꝓndre, & lour oꝟeignes faire, & choses vendables vendre, en la maꝟe avantdite; et en cas q̃ nul de eux viegne contre son ꝟement, & de ceo soit atteint, eit la prisone de xl. jours, et si autrefoitz il soit convict eit la prisone dun quarˢ del an, issint q̃ a chescun foitz qil trespas, & soit convict, eit la penance au double: et q̃ meismes les Justices enquergent, a chescune foitz qils vendront, des ditz Seneschalx baillifs & Conestables sils eient fait bone & loiale ctificacion ou nule concele, ꝑ doun ꝑcurement, ou affinite, & les punir ꝑ fyn & raunceoun sils soient trovez coupables:

[1] overours *Printed Copies.*
[2] rees & estrein *Rot. Parl*
[3] dargill *Rot. Parl.*

Et q̃ meismes les Justices eient poair denquere & faire due punissement des ditz Ministres, Ovours, laborers & aut's svantz queconqs, et auxint des hostelers, herbergers, & ceux qi vendont vitailles en retaille, & aut's choses nient especifiez, si bien a la suite de ptie, come p psentment, & doier & ꝛminer & mettre la chose en execucion p Exigend apres le prim Capias, si mestier soit, & de deputer aut's soutz eux, tantz & tielx come ils vront q̃ mieltz soit, p' la garde de meisme ceste ordinance; & q̃ ceux qi vorront suir, vs tielx svantz, ovours & laborers, p' excesse pris deux & ils soient de ce atteintz a lour suite, qils puissent reavoir cel excesse; et en cas q̃ nul voudra suir p' tiel excesse reavoir, adonqes soit leve des ditz svantz, Ovours laborers et artificers, et live as Coillours de la quinzisme, en alleggeance des villes ou tiel excesse fut pris.

Itm q̃ viscontes, Conestables, Baillifs, gaolers, clercs des Justices ou des viscontes, naut's Ministres queconqes rienz ne pignent p cause de lour offices, de meismes les svantz, p' fees, suete de prisone nen autre manere; & sils eient rienz pris en tiele mane, qils les facent deliver as Coillours des disme & quinzisme, en eide de la cõe p' temps q̃ les disme & quinzisme courgent, auxibien p' tout le temps passe come p' le temps avenir; & q̃ les dites Justices enquergent en lour sessions si les ditz Ministres eient rienz receuz de meismes les svantz & ce qils trovont p tiels enquestes q̃ les ditz ministres avont receuz, facent meismes les Justices lev de chescun des ditz ministres, & liver as ditz coillours ensemblement od lexcesses, fins et ranceons faitz, & auxint les amciementz de toux ceux qi sront amciez devant les ditz Justices, en allegeance des villes come desus est dit: et en cas q̃ lexcesse trove en une ville passe la quantite de la quinzisme de meisme la ville, soit le remenant de tiel excesse leve, & paie p les ditz coillo's a les plus pscheines villes povres, en eide de lour quinzisme, p avisement des ditz Justices; et q̃ les fins, raunceons, excesses & amciementz des ditz svants & laborers p' temps avenir, c'rante la dite quinzisme, soient livez as ditz coillours en la forme susdite, p endenture affaire entre eux et les ditz Justic, issint q̃ meismes les Coillours puissent estre chargez s' lour accompt p meismes les endentures, en cas q̃ les ditz fins, raunceons, amciementz & excesses ne soient paiez en eide de la quinzisme avantdite; & cessante meisme la quinzisme, soit leve al oeps le Roi & respondu a lui p le viscont du Countee.

Itm q̃ les ditz Justices facent lour sessions en touz les Countes Dengletre au meins quatre foitz p an, cest assav a les festes del Anunciation de nre Dame, Seinte Margarete, Seint Michel, & Seint Nicholas, & auxint totes les foitz qil busoignera selonc la descrecion des Justices; & q̃ ceux qi plent en psence des dites Justices, ou auts choses facent en lo' absence ou psence, en abaudissement ou meintenance des ditz svantz & laborers, au contraire de ceste ordinance, soient grevement punys selonc la descrecion des dites Justices: et si nul des ditz laborers artificers ou svantz senfue dun Countee tanq, en autre, p cause de ceste ordinance, q̃ les viscontes des Countes ou tiels futives sront trovez les facent pndre, au mandement des Justices des Countes dont ils senfuerent, & le mesnent a la chief gaole de meisme cel Counte, illoeqs a dem'er tanq, a la pscheine session des meismes les Justices, & q̃ les ditz viscontz ret'nent tielx mandementz devant meismes les Justices a lour pscheines sessions, et q̃ ceste ordinance soit tenue & garde, sibien deinz la Citee de Londres come en aut's Citees & Burghs & aillours pmy la re, sibien deinz franchise come dehors.

And that the same Justices have Power to enquire and make due Punishment of the said Ministers, Labourers, Workmen, and other Servants; and also of Hostlers, Harbergers, and of those that sell Victual by Retail, or other Things here not specified, as well at the Suit of the Party, as by Presentment, and to hear and determine, and put the Things in Execution by the Exigend after the first Capias, if need be, and to depute other under them, as many and such as they shall see best for the keeping of the same Ordinance; and that they which will sue against such Servants, Workmen, Labourers, [and Artificers,] for excess taken of them, and they be thereof attainted at their Suit, they shall have again such excess. And in case that none will sue, to have again such excess, then it shall be levied of the said Servants, Labourers, Workmen and Artificers, and delivered to the Collectors of the Quinzime, in alleviation of the Towns where such excesses were taken.

Hostlers and Victuallers subject to Inquiry.

Excess of Wages received to be refunded

ITEM, That no Sheriffs, Constables, Baillifs, and Gaolers, the Clerks of the Justices, or of the Sheriffs, nor other Ministers whatsoever they be, take any Thing for the cause of their Office of the same Servants, for Fees, Suit of Prison, nor in other manner; and if they have any Thing taken in such manner, they shall deliver the same to the Collectors of Dismes and Quinzimes, in aid of the Commons, for the Time that the Disme and Quinzime doth run, as well for the time past, as for the Time to come; and that the said Justices enquire in their Sessions, if the said Ministers have any Thing received of the same Servants, and that that they shall find by such Inquests, that the said Ministers have received, the same Justices shall levy of every of the said Ministers and deliver to the said Collectors, together with the excess and Fines and Ransoms made, and also the Amerciaments of all them which shall be amerced before the said Justices, in alleviation of the said Towns, as afore is said: And in case the excess found in one Town doth exceed the Quantity of the Quinzime of the same Town the Remnant of such excess shall be levied and paid by the said Collectors to the next poor Towns, in aid of their Quinzime, by advice of the said Justices; and that the Fines and Ransoms, Excesses and Amercements of the said Servants, Labourers, [and Artificers,] for the Time to come [running of the said Quinzime,[1]] be delivered to the said Collectors, in the Form aforesaid, by Indentures to be made betwixt them and the said Justices, so that the same Collectors may be charged upon their Accompt by the same Indentures, in case that the said Fines, Ransoms, Amercements, and Excesses be not paid in aid of the said Quinzime. And [sessing the said Quinzime,[2]] it shall be levied to the King's Use, and answered to him by the Sheriffs of the Counties.

VI. Sheriffs, Constables, &c. shall take nothing of Servants for Fees, &c.

Justices shall enquire thereof.

Forfeitures shall be applied in Aid of the Subsidy for the Time being.

ITEM, That the said Justices make their Sessions in all the Counties of England at the least Four Times a Year, that is to say, at the Feast of the Annunciation of our Lady, Saint Margaret, Saint Michael, and Saint Nicholas; and also at all Times that shall need, according to the discretion of the said Justices; and that those that speak in the presence of the said Justices, or other Things do in their absence or presence, in encouraging or maintenance of the said Servants, Labourers, [or Artificers] against this Ordinance, shall be grievously punished by the discretion of the same Justices: and if any of the said Servants, Labourers, or Artificers do flee from one County to another, because of this Ordinance, that the Sheriffs of the County where such fugitive Persons shall be found, shall do them to be taken at the Commandment of the Justices of the Counties from whence they shall flee, and bring them to the chief Gaol of the same County, there to abide till the next Sessions of the same Justices; and that the Sheriffs return the same Commandments before the same Justices at their next Sessions; and that this Ordinance be holden and kept, as well in the City of London, as in other Cities and Boroughs, and other Places throughout the Land, as well within Franchises as without.

VII. Sessions of Justices shall be holden Quarterly, or oftener.

Punishment of Abettors;

Of Servants flying from one County to another.

[1] *while the said Quinzime is running*

[2] *on the said Quinzime ceasing*

STATUTE THE THIRD.*

I. All Cloths vendible shall be measured by the King's Aulneger.

ITEM, It is accorded and assented, in the same Parliament, That all manner of Cloths vendible which shall be sold for whole Cloths in England, in whose Hands of the Merchants of the Realm of England, or other of the same Realm, they be found, shall be measured by the King's Aulnegeour and his Deputies in all Cities, Boroughs, and other Towns within Franchises and without, as well in the City of London as elsewhere.

Cloths not of due Length and Breadth according to Stat. 2 Ed. III. chapter 14, shall be forfeited.

And that all the Cloths which shall be found of less Measure by a Yard, than of the Assise contained in the Statute of Northampton, by which it is ordained, That the length of every Cloth of Ray shall be measured by a line of vii Yards, Four Times measured by the List, and the Breadth of every Cloth of Ray, vi Quarters of the Measure by the Yard, and of coloured Cloths the Length shall be measured by the Back by a Line of Six Yards and a half, Four Times measured, and the Breadth Six Quarters and a half measured by the Yard, without [defoyling [1]] the Cloths; shall be [forfeit and arrested [2]] to the King; and that the Aulnegeour deliver the same to ([3]) the King's Wardrobe by Indenture, notwithstanding any Franchise, Usage, or Privilege, made to the Cities, Boroughs, or to any Person of the Realm of England to the contrary: And the King's Aulnegeour shall be sworn to do his Office well and lawfully; and in case he thereof be found in Default, and thereof be attainted before the Keepers of the Fairs, and Mayors, and Bailiffs of the Places, where the Cloth shall be bought, ([4]) or before any other whom our Sovereign Lord the King shall thereto assign, he shall have the Prison of one Year, and be ransomed at the King's will, and put out of his Office for ever; and the Aulnegeour shall answer as well for his Deputies as for himself: And also it is accorded and stablished, That every Buyer of such Cloth, or other that will sue, that the said Aulnegeour hath done any Fraud or Deceit in his Office, and the falsity be notoriously proved and knowen at his Suit, shall have the one half of that that shall be so forfeit, or the Price, of the King's Gift, and the King the other half. And that every Buyer of such Cloth, after he hath agreed of the Price with the Seller, may freely measure the Cloth at his will, to assay if it be of the Assise or not, before that he hath paid his Money, although the Aulnegeour's Seal be put to the same; and if the buyer find any Default after the buying, he shall shew the same default to the Mayors and Bailifs of the Place, or to the Keepers of the Fair or Market; and if Default be found notoriously before them, the Cloth shall be forfeit to the King, and seised into the King's hands, by the said Mayors and Bailiffs, or Keepers of the Fair or Market, and shall remain in their Custody; and the said Mayors and Bailiffs or Keepers, shall certify to the Chancellor of the same Forfeiture, at the Suit of the Buyer, or of other which will sue, without any Thing taking of him; and the Chancellor [in this Certificate [5]] shall send a Writ to the said Mayors and Bailiffs or Keepers, to deliver to him which so hath sued, the one half of the Forfeiture, and to save the other half to the King's Use; and if the Mayor, Bailiffs, or Keepers, refuse to do execution of this accord, in the manner aforesaid, they shall be punished by Fine and Ransom when they shall be thereof attainted, as well at the King's Suit as the Party's: And that this Article begin to hold Place the First Day of September next coming, so that the Merchants and other, which have Cloths to sell, may freely deliver them of the Cloths that they have in their hands in the same time.

Oath of Aulneger.

Penalty for Neglect.

A Buyer may measure the Cloth, although measured by the Aulneger.

Defective Cloth shall be forfeited.

II. Recital and Confirmation of the Statute 9 Ed. III. stat. 1. ch. 1.

ITEM, Whereas it is contained in a Statute made at York the Ninth Year of our Lord the King that now is, that all Merchants, Aliens, and Denizens, and all other,

[1] defouling *MS. Tr.* 2.

[2] *seized, and forfeited*

[3] *the Keeper of*

[4] *or other Judges for holding Pleas there,*

[5] upon this Certification

Ex magno Rot. Stat. in Turr. Lond. m. 18.

Item acorde est & assentuz [en mesme le plement [1]] q̃ totes maneres des draps vendables, qi ſront venduz p̃ entiers draps en Engletre, en qi meins des marchantz du Roialme Dengletre ou auꝰs de meisme le Roialme ils soient trovez, soient aunez p̃ le Auneour le Roi & ses deputez, en touz Citees Burghs & auꝰs villes, deinz franchise & dehors, sibien en la Citee de Londres come aillours; & q̃ touz les draps q̃ ſront trovez de meindre mesure p̃ une aune q̃ de lassise contenuz en lestatut de Norhamptoñ, p̃ quele est ordine q̃ la longure de chescun drap̃ de raye ſra mesure p̃ une corde de vij. anz quatfoitz mesure p̃ la liste, & la laeure de chescun drap̃ de Raye vj. quarꝰs de lee mesure p̃ laune, & des draps de colour la longure soit mesure p̃ le dos p̃ une corde de vj. aunes & demy quatfoitz mesure, & la laeure vj. quarꝰs & demy mesure p̃ laune, sanz defoler les draps, soient arestuz & forfaitz au Roi; & q̃ launeour les delifve au Garderober le Roi p̃ endenture, nient contresteant franchises usage ou privilege fait as Citees Burghs ou a quecūq, psone du Roialme Dengletre au contire; et soit launeour le Roi jurree de faire son office bien & loialment, & en cas qil soit ent trove en defaute & de ce soit atteint devant les gardeins des faires, ou Mairs Baillifs de lieux ou le drap ſra achate, ou auꝰs juges de tenir les plees illoeqes, ou devant auꝰs queux nr̃e ſr̃ le Roi a ce assignera, eit la prison dun an, & soit reint a la volunte le Roi, & ouste de son office p̃r touz joꝰs; et respoigne launeour sibien p̃r ses deputes come p̃r lui meismes; & auxint acorde est & establi q̃ chescun achatour de tielx draps ou autre qi vorra suir q̃ le dit Auneour ad fait fraude ou deceit en son office, & la fausine soit notoirement p̃ve & conue a sa suite, eit la moite de ce q̃ ſra issint forfait, ou le pris, du doun le Roi, & le Roi lautre moite. Et q̃ chescun achatour de tielx draps, aꝰs ce qil soit acorde du pris od le vendour puisse franchement auñ le dit drap̃ a sa volunte [a savmou [2]] sil soit dassise ou nemye, avant qil eit paie ses deniers, tut soit il q̃ le seal Launeor̃ y soit mys; et si lachator̃ troeve defaute aꝰs lachat monstr̃ cele defaute as Mair & Baillifs du lieu, ou gardeins de la faire ou marche; et si defaute soit trove notoirement devant eux soit le drap forfait au Roi & seisi en la main le Roi p̃ les ditz Mair & Baillifs ou gardeins de la faire ou Marche, & demoerge en lor̃ garde; et mesmes les Mair & Baillifs ou gardeins ctifient au Chaunceller de mesme la forfait̃ a la sute lachatour ou dautre q̃ vorra suir sanz riens pndre de lui, et le Chaunceller eu celle ctificacion, mande bref as ditz Mair Baillifs ou gardeins de liver a celui q̃ ensi avꝰa suy lune moite de la forfait̃e, & de sauꝰ lauꝰ moite al oeps le Roi; et si les Mair Baillifs ou gardeins refusent [de faire [3]] execucion de ceste acord en la manere avantdite, soient punys p̃ fin & ranceon q̃nt ils ſront de ce atteintz, si bien a la suite nr̃e ſr̃ le Roi come a suite de ptie; et q̃ cest article se cōmence a tenir lieu le p̃m̃ jour de Septembr̃ pschein avenir, si q̃ les marchantz & auꝰs qi ont draps a vendre se puissent deliver franchement des draps qils ont entre mains en le meen temps.

Item come contenu soit en un estatut fait a Evwyk, lan du regne nr̃e dit ſr̃ le Roi noefisme, q̃ touz marchantz aliens & denzeins & touz auꝰs & chescun

[1] Interlined on the Roll.

[2] pur assaier *Printed Copies.*

[3] Interlined on the Roll.

* Statute the Fourth in all former Printed Copies; and entitled 'Statutum de Pannis. The Statute of Cloths.' It is here printed according to its Place on the Statute Roll: It is entered on the Parliament Roll 25 Ed. III. P. 1. nu. 42. as Part of the Statute entitled in the Margin 'Lestatut des enfantz nez pdela, des marchandises vendre,' &c. See the Note on Statute the First of this Year.

deux de quel estat ou condicion qils soient, qi achat ou vendre voillent bledz, vins, avoir du pois, chars, pesson, & toutes aut's vivres & vitailles, leines, draps, mces, marchandises & totes manes daut's choses vendables, de quele pt qils viegnent p foreins ou p denzeins, a quel lieu q ce soit, soit il Burgh, ville, Port du meer, faire, marche, ou autre lieu, deinz meisme le Roialme, deinz franchise ou dehors, les puissent franchement & sanz destourber vendre a qi q lour plest, auxibien as foreins come as denzeins forsp's les enemys de nre f' le Roi & de son Roialme: Acorde est, p nre dit f' le Roi, Prelatz, Countes, Barons & touz autres g'ntz & cões en cest p'sent plement, q le dit estatut en touz pointz & articles contenuz en ycel soit tenu garde & meintenu. Et q si nul estatut, chre, lre patente, pclamacion ou mandement, usage, allouance ou jugement soit fait au cont'ire soit ovtement repelle, anienty, & tenu p' nul: et outre ce q chescun marchant ou autre de quele condicion qil soit, auxibien alien come denzein, qi amene vins, chars, pesson, ou autre manere des vitailles, draps, peaux, ou avoir du pois, ou quecomqes aut's mces ou marchandises a la Citee de Londres, ou as aut's Citees Burghs & bones villes Dengletre, ou portz de meer, les poet franchement, & sanz chalange ou empeschement de nuli, vendre en gros ou a retaill ou p pcelles a sa volunte, a queconqes gentz qi les vodront achater, nient contresteant quecūq franchise, g'nte, ou custume use, ou quecomq autre chose faite au cont'ire; desicome q tielx franchises & usages sont en cõe p'judice du Roi & de tut son poeple: et q nul Mair, Baillif, Cacchepole, Ministre, ne nul autre se melle de la vente de nule mane des vitailles vendables, menez ou portez as Citees Burghs ne aut's villes, ne faire ne marche, fors soulement celi a qi les vitailles sont; et q pclamacion ensoit faite de novel en touz les Countez Dengletre, et en la de Citee de Londres, et en touz aut's Citees, Burghs, bones villes, portz du meer, & aillours deinz le Roialme Dengletre ou mestir sra; & q nre dit f' le Roi s' ce face assign ses Justices, totes les foitz q lui plerra & mester soit, denquere de touz ceux qi vendront ou riens facent alencontre, & de les punir selonc la peine contenue en meisme lestatut, fait lan noefisme; & q chescun qi vorra suir dev's nul tiel eit brief de la Chancellie de lui attacher p son corps, come destourbeo' de cõe pfit, de lui faire ent venir a respons en la Court le Roi.

Acorde est auxint & establi, q les forstallours des vins & des aut's vitailles, & [de, toutes[1]] aut's mces & marchandises, q viegnont a les bones villes p tre ou p eawe, en damage de nre f' le Roi & de son poeple, si de ceo soient atteintz a la suite le Roi, ou de ptie, devant Mair Baillifs ou Justices a ce assignes, ou aillours en la Court le Roi, & sil soit atteint a la suite le Roi p enditement ou en autre manere, soient les choses forstalles forfaitz au Roi si lachatour ent eit fait gree au vendour; & sil neit fait gree de tut, mes p arres, encourge lachatour la forfait're de tant come les biens forstalles amontent, selonc la value qil les ava achate, sil eit de quoi, & sil neit, adonqs eit la prisone de deux annz, & plus a la volunte le Roi, sanz estre lesse a mainprise ou deliv's en autre mane. Et sil soit atteint a suite de ptie, eit la ptie la moite de tielx choses forstalles & forfaitz, ou le pris, du doun le Roi, & le Roi lautre moite.

Itm p'ce q cões passages de neefs & batelx, en les g'ntz rivers Dengletre, si sont soventfoitz dest'bez p le lever de gortz molins, estanks, estaches & kideux, en g'nt damage du poeple: Acorde est & establi, q

[1] toutes *on an Erasure*—des totes *Rot. Parl.*

and every of them, of what Estate or Condition they were, which would buy or sell Corn, Wine, [Avoir de pois,[1]] Flesh, Fish, and all other Livings and Victual, [Cloths, Chaffer, Wools,[2]] Merchandises, or any other Things vendible, from [what Party[3]] they come, by Foreigners or by Denizens, [to[4]] what Place soever it be, Borough, Town, Port of the Sea, Fair, Market, or other Place within this Realm, within Franchises or without, may freely and without disturbance sell the same to whom please them, as well to Foreigners as to Denizens, except [the King's Enemies[5]]: It is accorded by our Lord the King, the Prelates, Earls, Barons, and other great Men, and the Commons in this present Parliament, That the said Statute, in all Points and Articles contained in the same, be holden, kept, and maintained. And if that any Statute, Charter, Letters Patents, Proclamation, or Commandment, Usage, Allowance, or Judgement be made to the contrary, the same shall be openly repealed, void, and holden for none: And moreover, that every Merchant, or other, of what Condition he be, as well Alien as Denizen, that bring Wines, Flesh, Fish, or other Victuals, Cloths, Woolfels, Avoir de pois or any other manner of Merchandises, or Chaffer, to the City of London, or other Cities, Boroughs, and good Towns of England, or Ports of the Sea, may freely and without Challenge or Impeachment of any, sell in gross or at Retail, or by Parcels, at his Will, to all manner of People that will buy the same, notwithstanding any Franchises, Grants, or Custom used, or any other Thing done to the contrary; sithence that such Usages and Franchises be to the common Prejudice of the King and his People: And that no Mayor, Bailiff, Catchpole, Minister, nor other, shall meddle with the Sale of any Manner of Victual vendible, brought (6) to Cities, Boroughs, or other Towns, nor Fair nor Market, but only he to whom the Victuals be; and Proclamation be thereof made of new in all Counties of England, and in the City of London, and in all other Cities, Boroughs, good Towns, Ports of the Sea, and other Places within the Realm of England, where need shall be; and that the King thereupon cause to be assigned his Justices at all Times that shall please him, and if need be, to enquire of all those that shall offend against this Ordinance, or do any Thing against the same, and to punish them according to the Pain contained in the same Statute made in the said Ninth Year; and that every Person that will sue against any such, shall have a Writ in the Chancery to attach him by his Body as a Disturber of the common Profit, to cause him to come thereof to make Answer in the King's Court.

Merchants and others may sell their Goods freely.

No Officer shall meddle with the Sale of Victuals.

Proclamation thereof shall be made.

Justices shall enquire of Offenders.

III. The Penalty of Forestallers of Wines, Victuals, and Merchandise.

ITEM, It is accorded and established, That the Forestallers of Wines, and [all other Victuals, Wares,[7]] and Merchandises that come to the good Towns of England by Land or by Water, in Damage of our Lord the King and of his People, if they be thereof attainted at the Suit of the King, or of the Party, before Mayor, Bailiff, or Justices thereto assigned, or elsewhere in the King's Court; and if they be attainted at the King's Suit by Indictment, or in other manner, the Things forestalled shall be forfeited to the King, if the Buyer thereof hath made Gree to the Seller; and if he have not made Gree of all, but by earnest, the Buyer shall incur the Forfeiture of as much as the forestalled Goods [forfeited[8]] do amount to, after the Value as he bought them, if he have whereof, and if he have not whereof, then he shall have Two Years Imprisonment, and more, at the King's Will, without being let to mainprise, or delivered in other Manner. And if he be attainted at the Suit of the Party, the Party shall have the one half of such Things forestalled and forfeit, or the Price, of the King's Gift, and the King the other half.

IV. New Wears in Rivers shall be abated.

ITEM, Whereas the common Passage of Boats and Ships in the great Rivers of England be oftentimes annoyed by the inhansing of [Gorces, Mills, Wears,[9]] Stanks, Stakes, and Kiddles, in great Damage of the People; It is accorded and established, That all such

[1] Avoir de pois, or Haberdash-Ware *MS. Tr.* 2.
[2] Wools, Clothes, Wares, *St.* 9 *Ed. III.*
[3] whence soever *St.* 9 *Ed. III.* [4] at *St.* 9 *Ed. III.*
[5] the Enemies of our Lord the King and his Realm
[6] *or carried* [7] *and other Victuals, and all other Wares*
[8] Not in Original, nor MS.Tr. 2.
[9] Wears, Mills,

[Gorces, Mills, Wears,'] Stanks, Stakes, and Kiddles, which be levied and set up in the Time of King [Edward] the King's Grandfather, and after, (²) whereby the said Ships and Boats be disturbed, that they cannot pass [in such River³] as they were wont, shall be out and utterly pulled down, without being renewed; and thereupon Writs shall be sent to the Sheriffs of the Places where need shall be, to survey and inquire, and to do thereof Execution; and also the Justices shall be thereupon assigned at all Times that shall be needful.

¹ Wears, Mills ² in such Rivers *MS. Tr.* 2.
* MS. Tr. 2. omits these Words here.

touz tiels gortz molins, estanks, estaches & kideux, q̃ sont leves & mys en temps le Roi lael & puis encea en tielx rivers, p̄ queux les niefs & batelx sont destourbes qils ne poent passer come ils ſoloient, soient oustes & nettement abatuz, sanz estre relevez; et soient s^r ce briefs mandez as viscontz de lieux ou mester ſra, de s'veer & denquere & de faire ent execucion, et auxint q̃ Justices soient s^r ce assignez a totes les foitz qil besoignera.

† In margine Rotuli.

Statutū de p̄'visoꝛibꝫ.†

The STATUTE of PROVISORS of BENEFICES.

Statute the Fourth.*

Recital of Proceedings in Parliament 35 Ed. I.

The Origin and Purpose of the Possessions given to the Church.

Voidances and Presentments of Benefices belong to the King and Great Men.

The Pope bestoweth Spiritual Livings upon Aliens not dwelling in England.

The Inconveniencies ensuing thereon.

WHEREAS late in the Parliament of good Memory of Edward King of England, Grandfather to our Lord the King that now is, the [xxv¹] Year of his Reign, holden at Carlisle, the Petition [heard, put before²] the said Grandfather and his Council in his said Parliament by the Commonalty of the said Realm, containing, That whereas the Holy Church of England was founded in the Estate of Prelacy, within the Realm of England, by the said Grandfather and his Progenitors, and the Earls, Barons, and other Nobles of his said Realm, and their Ancestors, to inform them and the People of the Law of God, and to make Hospitalities, Alms, and other Works of Charity, in the Places where the Churches were founded, for the Souls of the Founders, their Heirs, and all Christians; and certain Possessions, as well in Fees, Lands, Rents, as in Advowsons, which do extend to a great Value, were assigned by the said Founders to the Prelates and other People of the Holy Church of the said Realm, to sustain the same Charge, and especially of the Possessions which were assigned to Archbishops, Bishops, Abbots, Priors, Religious, and all other People of Holy Church, by the Kings of the said Realm, Earls, Barons, and other great Men of his Realm; the same Kings, Earls, Barons, and other Nobles, as Lords and Advowees, have had and ought to have the Custody of such Voidances, and the Presentments and the Collations of the Benefices being of such Prelacies: And the said Kings in Times past were wont to have the greatest Part of their Council, for the Safeguard of the Realm when they had need, of such Prelates and Clerks so advanced; [the Bishop³] of Rome, accrochning to him the Seignories of such Possessions and Benefices doth give and grant the same Benefices to Aliens, which did never dwell in England, and to Cardinals, which might not dwell here, and to other as well Aliens as Denizens, as if he had been Patron or Advowee of the said Dignities and Benefices, as he was not of Right by the Law of England; whereby if they should be suffered, there should scarcely be any Benefice within a short Time in the said Realm, but that it should be in the hands of Aliens and Denizens by virtue of such Provisions, against the good Will and Disposition of the Founders of the same Benefices; and so the Elections of Archbishops, Bishops, and other Religious should fail, and the Alms, Hospitalities, and other Works of Charity, which should be done in the said Places, should be withdrawn, the said Grandfather, and other Lay-Patrons, in the Time of such Voidances, should lose their Presentments, the said Council should perish, and Goods without Number should be carried out of the Realm, in Adnullation of the Estate of the Holy Church of England, and disherison of the said Grandfather, and the Earls, Barons, and other Nobles [of the said Realm,] and in Offence and Destruction of the Laws and Rights of his Realm, and to the great Damage of

¹ five and thirtieth
² being heard, which was offered unto ³ the Pope *MS. Tr.* 2.

Ex magno Rot. Stat. in Turr. Lond. m. 17.

COME jadis, en le plement de bone memoire Sire Edward Roi Dengleꝛe, Ael nr̃e s^r le Roi qore est, lan de son regne trentisme quint a Kardoil tenuz, oie la peticion mise devant le dit Ael & son conseil en le dit plement p̄ la cõalte de son Roialme, contenant q̃ come seinte eglise Dengleꝛre estoit founde en estat de p̄lacie, deins le Roialme Dengleꝛre, p̄ le dit Ael & ses p̄genitours, & Countes Barons & Nobles de son Roialme & lour ancestres, p^r eux & le poeple enfourmer de la lei Dieu, & p^r faire hospitalites aumoignes & au̅s oeu̅es de charite es lieux ou les eglises feurent foundes p^r les almes de foundours & de lour heirs & de touz Cristiens; & ceins possessions, tant en feez ſres & rentes come en avowesons qe se extendent a grande value, p̄ les ditz foundours feurent assignez as p̄latz & au̅s gentz de seinte eglise du dit Roialme, p^r cele charge sustenir, & nomement des possessions q̃ feurent assignes as Ercevesqes, Evesqes, Abbes, Priours, Religious & au̅s gentz de seint eglise, p̄ les Rois du dit Roialme, Countes, Barons & au̅s Nobles de son Roialme, meismes les Rois, Countes, Barons & Nobles, come Seign^rs & avowes eussent & a̅ deussent la garde de tieles voidances, & les p̄sententz & collacions des benefices esteantz des tieles p̄lacies; & les ditz Rois en temps passe soloient a̅ la grein^re ptie de lour conseils p^r la salvacion du Roialme q^nt ils eneurent mester, de tiels p̄latz & Clercs issint avances; Le Pape de Rome, acrochant a lui la Seign^rie de tieles possessions & benefices, meismes les benefices dona & graunta as aliens qi unqes ne dem^rerent el Roialme Dengleꝛre, & as Cardinalx q̃ y dem^rer ne p^roient, & as au̅s tant aliens come denzeins, autresi come il eust este patron ou avowe des dites dignites & benefices, come il ne feust de droit selonc la loi Dengleꝛre; p̄ les queux sils feussent soeffertz a peine dem^roit ascun benefice, en poi de temps, el dit Roialme qil ne ſroit es meins daliens & denzeins, p̄ vtue de tieles p̄visions, contre la bone volunte & disposicion des foundours de meismes les benefices, & issint les eleccions des Erceveſqs, Evesches, & au̅s Religious faudroient, & les almoignes, hospitalites & au̅s oeu̅es de charite q̃ ſroient faitz as ditz lieux ſroient sustretes, le dit Ael & au̅s lais patrons en temps de tieles voidances p̄deroient lour p̄sententz, le dit conseil piroit, & biens sanz nombre ſroient emportes hors du Roialme, en adnullacion del estat de seinte eglise dengleꝛre, & desheriteson du dit Ael, & des Countes Barons & nobles, & en offens & destruccion des lois & droit^es de son Roialme, & grant damage de son

* Statute the Sixth in all former Printed Copies: It is here printed according to its place on the Statute Roll. It is entered in the Parliament Roll 25 Ed. III. P. 1. nu. 46. intitled in the Margin "Lestatut de resvacõns & pvis." See the Note on Statute the First of this Year.

poeple, & subv̄sion del estat de tut son Roialme susdit, & contre la bone disposicion & volunte des prim̄s foundours; del assent des Countes, Barons, Nobles & tute la dite Cōalte, a lour instante requeste, consideres les damages & grevances susdites en le dit plen̄ plement feust p'veu ordine & establi q̄ les dites grevances, op-p̄ssions & damages, en meisme le Roialme des adonq̄s mes ne p̄roient soeffertz en ascun man̄e. Et ja monstre soit a nr̄e Seign^r le Roi, en cest plement tenuz a Westm̄ a les Octaves de la Purificacion de nr̄e Dame, lan de son regne Dengleterre vintisme quint, & de France duszisme, p la greveuse pleinte de toute la cōe de son Roialme q̄ les grevances & meschiefs susditz sabondent de temps en temps, a plus grant damage & destruccion de tut le Roialme, plus q̄ unq̄s ne firent; cest assav̄ qore de novel nr̄e seint piere le Pape, p pcurement des clercs & autrement ad reservee & reserve de jour en autre a sa collacion, gen̄alment & especialment, si-bien Erceveschees, Eveschees, Abbeies, & Priories, come totes dignetes & aut̄s benefices dengleterre, q̄ sont del avowerie de gentz de seinte eglise, & les donne aux-ibien as aliens come as denzeins, & p̄nt de touz tiels benefices les prim̄es fruitz & aut̄s pfitz plusours; & grande ptie du tresor del Roialme si est emporte & despendu hors du Roialme, p les p'chaceours de tieles g^nces; & auxint, p tieles reservacions prives, plusours clercs avances en ceste Roialme p lour v̄roies patrons, q̄ ont tenuz lour avancementz p long temps pesible-ment, sont sodeinement ostes; sur quoi la dite Cōe ad prie a nr̄e Seign^r le Roi q̄ desicome le droit de la Corone Dengleterre & la loi du dite Roialme sont tieles, q̄ sur meschiefs & damages q̄ si aviegnont a son Roi-alme il doit & est tenuz p son s̄ement, del acord de son poeple en son plement, faire ent remede & lei, en ostant les meschiefs & damages qensi avignont, q̄ lui pleise de ce ordin̄ remede: Nr̄e Seign^r le Roi, veiant les meschiefs & damages susnomes & eant regard al dit estatut fait en temps son dit Ael, & a les causes contenues en ycele, le quel estasut tient touz jours sa force & ne feust unqes defait ne anulli en nul point, & ptant est il tenuz p son s̄ement del faire garder come la loi de son Roialme, coment q̄ p soeffrance & negligence ad este puis attempte a cont^re; & auxint eant regard a les grevouses pleintes a lui faites p son poeple, en ses div̄s plementz cea enarere tenuz, voil-lantz les p̄sg^ntz damages & meschiefs q̄ sont avenuz, & viegnont de jour en autre a la Eglise Dengleterre p la dite cause remede ent ordiner; p assent de touz les g^ntz et la Cōalte de son dit Roialme, Al hon^r de Dieu & pfit de la dite eglise Dengleterre & de tut son Roialme, ad ordine & establi, q̄ les franches eleccions des Erceveschees, Eveschees, & tutes aut̄s dignites & benefices electifs en Engleterre, se tiegnent desore, en man̄e come eles feurent grantes p les pgenitours nr̄e dit f^r le Roi, & p les auncestres daut̄s Seign^s foundes. Et q̄ touz p̄latz, & aut̄s gentz de seinte eglise qi ont avowesons de quecomqes benefices des douns nr̄e f^r le Roi & de ses pgenitours, ou daut̄s Seign^s & donours, p' faire divines s̄vices & aut̄s charges ent ordines, eient lour collacions & p̄sentementz franchement en man̄e come ils estoient feffes p lour donours. Et en cas q̄ dascune Erceveschee, Eveschee, dignite ou autre quecūq benefice, soit reservacion, collacion, ou pvision faite p la court de Rome, en dest'bance des eleccions, collacions ou p̄sentacions susnomes, q̄ a meisme les temps des voidances, q̄ tieles reservacions collacions & pvisions deusent p̄ndre effect, q̄ a meisme la voidance nr̄e Seign^r le Roi & ses heirs eient & enjoicent p^r cele foitz les col-lacions, as Erceveschees, Eveschees & aut̄s dignites elec-tives, qe sont de savowerie, autieles come ses pgenitours avoient avant q̄ franche eleccion feust g^unte, desicome

his People, and in Subversion of all the Estate of his said Realm, and against the good Disposition and Will of the first Founders: By the Assent of the Earls, Barons, and other Nobles, and of all the said Commonalty, at their Instances and Requests, the Damage and Griev-ances afore considered, in the said full Parliament it was [ordained, provided, established, agreed, adjudged, and considered,[1]] That the said Oppressions, Grievances, and Damages in the same Realm from henceforth should not be suffered in any manner. And now it is shewed to our Lord the King in this present Parliament holden at Westminster, at the Utas of the Purification of our Lady, the Five and Twentieth Year of his Reign of England, and of France the Twelfth, by the grievous Complaints of all the Commons of his Realm, that the Grievances and Mischiefs aforesaid do daily abound, to the greater Damage and Destruction of all [his Realm of England,[2]] more than ever were before, viz. that now of late [the Bishop of Rome,[3]] by Procurement of Clerks and otherwise, hath reserved, and doth daily reserve to his Collation generally and especially, as well Archbi-shopricks, Bishopricks, Abbeys, and Priories, as all other Dignities and other Benefices of England, which be of the Advowry of People of Holy Church, and (4) give the same as well to Aliens as to Denizens, and taketh of all such Benefices the First Fruits, and many other Profits, and a great Part of the Treasure of the said Realm is carried away and dispended out of the Realm, by the Purchasers of such [Benefices and Graces afore-said[5]]; and also by such Privy Reservations many Clerks advanced in this Realm by their true Patrons, which have peaceably holden their Advancements by long Time, be suddenly put out: Whereupon the said Commons have prayed our said Lord the King, that sith the Right of the Crown of England, and the Law of the said Realm is such, that upon the Mischiefs and Damages which happen to his Realm, he ought, and is bound by his Oath, with the accord of his People in his Parliament, thereof to make Remedy and Law, [and in removing[6]] the Mischiefs and Damages which thereof en-sue, that it may please him thereupon to ordain Remedy:

Our Lord the King, seeing the Mischiefs and Damage before mentioned, and having Regard to the said Statute made in the Time of his said Grandfather, and to the Causes contained in the same; which Statute holdeth always his Force, and was never defeated, [repealed[7]] nor adnulled in any Point, and by so much as he is bounden by his Oath to cause the same to be kept as the Law of his Realm, though that by Sufferance and Neg-ligence it hath been sithence attempted to the contrary; also having Regard to the grievous Complaints made to him by his People in divers his Parliaments holden here-tofore, willing to ordain Remedy for the great Damages and Mischiefs which have happened, and daily do hap-pen to the Church of England by the said Cause; by the Assent of all the great Men and the Commonalty of the said Realm, to the honour of God, and Profit of the said Church of England, and of all his Realm, hath [ordered[8]] and stablished, That the Free Elections of Archbishops, Bishops, and all other Dignities and Bene-fices elective in England, shall hold from henceforth in the Manner as they were granted by the King's Progeni-tors, and [the Ancestors of other Lords, Founders of the said Dignities and other Benefices.[9]] And that all Pre-lates and other People of Holy Church, which have Ad-vowsons of any Benefices of the King's Gift, or of any of his Progenitors, or of other Lords and Donors, to do Divine Services, and other Charges thereof ordained, shall have their Collations and Presentments freely to the same, in the Manner as they were enfeoffed by their Donors. And in case that Reservation, Collation, or Provision be made by the Court of Rome, of any Archbishoprick, Bishoprick, Dignity, or other Benefice, in Disturbance of the [free[10]] Elections, Collations, or Presentations aforenamed, that at the same Time of the Voidance, [that[11]] such Reservations, Collations, and Provisions [ought to[12]] take Effect, our Lord the King and his Heirs shall have and enjoy for the same Time the Collations to the Archbishopricks ([13]) and other Dignities elective, which be of his Advowry, such as his Progenitors had, before that free Election was

In the Parliament 25 Ed. I. Provision was made against such Evil.

The Pope giveth the Benefices of the Church, and reserveth the First Fruits to himself.

The Causes and Reasons of making this Statute.

Elections of Bishops and other Dignities of the Church shall be free, as they were founded.

Collations and Present-ations shall be free.

Where the Pope maketh Provision to a Dignity of the Church, the King shall present:

[1] *provided, ordained, and established*
[2] this Realm
[3] our Holy Father the Pope *MS. Tr.* 2.
[4] doth
[5] Graces
[6] for the voiding of
[7] *MS. Tr.* omits.
[8] ordained
[9] *founded by the Ancestors of other Lords*
[10] *MS Tr.* omits.
[11] when
[12] shall
[13] *Bishopricks*

granted, [since that the Election was [1]] first granted by the King's Progenitors upon a certain Form and Condition, as to demand Licence of the King to chuse, and after the Election to have his Royal Assent, and not in other Manner; which Conditions not kept, the Thing ought by Reason to resort to his first Nature: And if any such Reservation, Provision, or Collation be made of any House of Religion of the King's Advowry, in Disturbance of free Election, our Sovereign Lord the King, and his Heirs, shall have for that Time the Collation to give this Dignity to a convenient Person. And in case that Collation, Reservation, or Provision be made by the Court of Rome of any Church, Prebend, or other Benefices, which be of the Advowry of People of Holy Church, whereof the King is Advowee Paramount immediate, that at the same Time of the Voidance, at which Time the Collation, Reservation, or Provision [ought to [2]] take Effect as afore is said, the King and his Heirs thereof shall have the Presentment or Collation for that Time; and so from Time to Time, whensoever such People of Holy Church shall be disturbed of their Presentments or Collations, by such Reservations, Collations, or Provisions, as afore is said; saving to them the Right of their Advowsons and their Presentments, when no Collation or Provision of the Court of Rome is thereof made, ([3]) where that the said People of Holy Church shall or will to the same Benefices present or make Collation; and that their Presentees may enjoy the Effect of their Collations or Presentments: And in the same Manner every other Lord, of what condition that he be, shall have the Collations or Presentments to the Houses of Religion which be of his Advowry, and other Benefices of Holy Church which be pertaining to the same Houses. And if such Advowees do not present to such Benefices within the half Year after such Voidances, nor the Bishop of the Place do not give the same by Lapse of Time within a Month after half a Year, that then the King shall have thereof the Presentments and Collations, as he hath of other of his own Advowry. And in case that the Presentees of the King, or the Presentees of other Patrons of Holy Church or of their Advowees, or they to whom the King, or such Patrons or Advowees aforesaid, have given Benefices pertaining to their Presentments or Collations, be disturbed by such Provisors, so that they may not have Possession of such Benefices by virtue of the Presentments or Collations to them made, or that they which be in Possession of such Benefices be impeached upon their said Possessions by such Provisors; then the said Provisors, their Procurators, Executors, and Notaries, shall be attached by their Body, and brought in to answer; and if they be convict, they shall abide in Prison without being let to Mainprise, or Bail, or otherwise delivered, till that they have made Fine and Ransom to the King at his Will, and Gree to the Party that shall feel himself grieved. And nevertheless before that they be delivered, they shall make full Renunciation, and find sufficient Surety that they shall not attempt such Things in Time to come, nor sue any Process by them, nor by other, against any Man in the Court of Rome, nor in any Part elsewhere, for any such Imprisonments or Renunciations, nor any other Thing depending of them.

So in Cases of Provision to Religious Houses; or to Benefices of the Advowson of the Clergy.

Saving, when no Provision, or the Parties themselves present.

Presentations by Patrons; and on their Default by the King.

The Penalties for Disturbance by Provisors:

Imprisonment on Conviction;

Renunciation and Surety against future Attempts.

And in case that such Provisors, Procurators, Executors, or Notaries be not found, that the Exigent shall run against them by due Process, and that Writs shall go forth to take their Bodies in what Parts they be found, as well at the King's Suit as at the Suit of the Party, and that in the mean Time the King shall have the Profits of such Benefices so occupied by such Provisors, except Abbeys, Priories, and other Houses, which have Colleges or Convents; and in such Houses the Colleges and Convents shall have the Profits; saving always to our Lord the King, and to all other Lords, their old Right. And this Statute shall have Place as well of Reservations, Collations, and Provisions made and granted in Times past against all them which have not yet obtained corporal Possession of the Benefices granted to them by the said Reservations, Collations, and Provisions, as against all other in Time to come. And this Statute oweth to hold Place and to begin at the said Utas.

Process of Outlawry.

The King shall have intermediate Profits.

Commencement of this Act.

[1] seeing that the Elections were

[2] should

[3] or *MS. Tr.* 2.

[1] les eleccions feurent p'mes g'ntez, p les ꝑgenitours le Roi, s' ꝺteines fo'me & condicion, come a demander du Roi conge de eslir, & puis aꝑs la eleccion daꝰ son assent roial, & nemye en autr' maꝛe; les queles condicions nyent gardez, la chose doit p reson resortir a sa p'me nat'e: et q̃ si dascune Meson de Religion del avowerie le Roi, soit tiele reservacion, collacion, ou ꝑvision faite, en desto'bance de f'nche eleccion, eit nr̃e f' le Roi & ses heirs a cele foitz la collacion, a doner cele dignite a ꝑsone covenable. Et en cas q̃ reservacion, collacion ou ꝑvision soit faite [a [2]] la Court de Rome, de nule Esglise, [ꝑvende,[3]] ou autr' benefice q̃ sont del avowerie des genz de seinte esglise, dont le Roi est avowe pamount inmediat, q̃ a mesme le temps de voidance, a quel temps la reservacion collacion ou [4] ꝑvision deusent ꝑndre effeit, come desus est dit, q̃ le Roi & ses heirs de ce eient le ꝑsentement, ou collacion a cele foitz; & issint de temps en temps a totes les foitz q̃ tieles gentz de seinte eglise ꝺront dest'bes de lour ꝑsententz ou collacions p tieles reservacions collacions ou ꝑvisions come desus est dit; Sauvee a eux le droit de lour avowesons & ꝑsententz q'nt nul collacion ou ꝑvision de la Court de Rome ent ne soit faite, ou q̃ les dites gentz de seinte eglise osent & vuillent a meismes les benefices ꝑsenter ou collacion faire, & lour ꝑsentees puissent leffect de lour collacions & ꝑsententz enjoier: et en meisme la maꝛe eit chescun autre Seign' de quel condicion qil soit, les ꝑsententz ou collacions a les mesons de religion q̃ sont de savowerie, & as benefices de seinte eglise q̃ sont ap'tenantz a meismes les mesons. Et si tiels avowes ne ꝑsentent point a tieles benefices, deinz le demy an aꝑs tieles voidances, ne levesq, de lieu ne la donne p laps de temps deinz un mois aꝑs le demy an, q̃ adonq̃s le Roi eit ent les ꝑsententz & collacions, come il ad dauꝛs de savowerie demeisne. Et en cas q̃ les ꝑsentes le Roi, ou les ꝑsentes dauꝛs patrons de seinte eglise, ou de lour avowes, ou ceux as queux le Roi ou tielx patrons ou avowes susditz aꝰont done benefices ap'tenantz a lour ꝑsententz ou collacions, soient dest'bez p tiels ꝑvisours, issint qils ne puissent avoir possession de tieles benefices, p vtue des ꝑsententz & collacions issint a eux faitz, ou q̃ ceux q̃ sont en possessions des tiels benefices soient empesches sur lour dites possessions p tielx ꝑvisours, adonqes soient les ditz ꝑvisours & lour ꝑcuratours, executo's & notaires attaches p lour corps, et menes en response, et sils soient convictz demoergent en prisone sanz estre lesse a meinprise, en baille, ou autrement delivres, tanqils aꝰont fait fin & redempcion au Roi a sa volente, & gree a la ptie q̃ se sentera greve. Et nient meins, avant qils soient delivres facent pleine renunciacion, & troevent sufficeante seurete qils nattempteront tiele chose en temps avenir, ne nul ꝑces sueront p eux ne p autre deꝰs nuly en la dite Court de Rome, ne nule part aillours, p' nules tieles emprisonementz ou renunciacions, ne nule autre chose dependant de eux. Et en cas q̃ tielx ꝑvisours, ꝑcuratours, executo's & notaires ne soient trovez, q̃ lexigende courge deꝰs eux p due ꝑces, & q̃ briefs issent de ꝑndre lour corps quel ꝑt qils soient trovez, auxibien a la suite le Roi come de ptie, et qen le mesne temps le Roi eit les ꝑfitz de tielx benefices, issint ocupez p tielx ꝑvisours, forspris Abbeies, Priories, & auꝛs mesons qont college ou Covent; & en tieles mesons eient les Covent & colleges les ꝑfitz, sauvant totefoitz a nr̃e f' le Roi & as auꝛs Seign's lour aunciene droit. Et eit cest estatut lieu autresibien de reservacions collacions & ꝑvisions faites & grantes en temps passe, deꝰs touz ceaux q̃ ne sont unqore adept corporele possession des benefices, a eux grauntes, p meismes les reservacions, collacions & ꝑvisions, come deꝰs toux auꝛs en temps avenir. Et doit cest Estatut tenir lieu cōmenceant a les octaves susditz.

[1]—[4] These Sentences are written on an Erasure.

[2] p *Rot. Parl.*

[3] ꝑvendre *Rot. Parl.*

Statutū apud Westm̄ in p'liamento in festo S'ci Hillarii anno regni Regis E. t'cii vicesimo q'nto tento, f'cm.

In Margine Rotuli.

A STATUTE made at WESTMINSTER; In the Parliament holden in the Feast of Saint Hilary; In the TWENTY-FIFTH Year of the Reign of K. EDWARD the THIRD.

Ex magno Rot. Stat. in Turr. Lond. m. 16.

AU plement somonz a Westm̄, en la feste de Seint Hiller lan du regne nr̄e Seign^r le Roi Edward Dengleȳre vintisme quint, & de France douzisme, nr̄e f^r le Roi del assent des Prelatz, Ducs, Countes, Barons, & de tout la comunalte de son Roialme Dengleȳre, au dit plement somons, al hon^r de Dieu & de Seinte Eglise, & en amendement de son dit Roialme, ad ordeine & establi les choses soutzescriptes.

En p'mes, p'ce q̄ tresg^a untz & tresout^a geouses damages & grevances sont faites au poeple p les pno's & p'veo's des vitailles p^r les hosteux nre f^r le Roi, ma dame la Roigne, & de lo^r enfantz, Si est acorde & assentuz en le dit plement, q̄ les pno's & p'veio's des bledz p^r les ditz hosteux les p̄ignent p mesure rase, selonc ceo q̄ hōme use pmy le Roialme. Et q̄ touz bledz, feyns, litere & bestaill, & touz aut̄s vitailles & choses quecūqes, queles sont aprendre p^r meismes les hosteux, soient p̄'sez a la v̄roie value, p les Conestables & aut̄s bons gentz des villes ou tieles prises se feront, sanz ce q̄ p manaces, ou duresces soient les preisours chacez a mettre autre pris q̄ lour ȳement ne voet, & come curt cōement en les p̄scheins marchees: et q̄ entre les Purveours et ceux des queux les biens ȳront prises, en la p̄sence des Conestables & preisours, soient tailles tantost faites, saunz ceo q̄ les gentz des queux les biens ȳront prises soient aillours traitz ou t^vaillez; & meismes les tailles ensealez des seals les pnours des choses issint prises, p les queles tailles gre soit fait as ceux des queux les choses ȳront issint prises: et si nul pnour ou P'veour p^r les ditz hosteux face p autre man̄e, soit meintenant arestu p la villee ou la prise ȳra faite, et mesne a la p̄scheine gaole, et si de ceo soit atteint, soit la fait de lui come de laron, si la quantite des biens le demand; solonc ceo qen un estatut fait en temps meisme nr̄e f^r le Roi lan de son regne quint, & en un autre estatut fait en temps laiel nr̄e Seign^r le Roi s^r tieles prises, est contenuz plus au plein: et q̄ desore soit contenuz es cōmissions des tieux P'veours et pnours, lentent et la peine contenuz en cest estatut: et q̄ nule cōmission soit faite forsq̄ soulement souz les g^a nt ou prive sealx le Roi; ne q̄ nul hōme soit tenuz de obeier a autre cōmission nen autre man̄e q̄ nest dit en avant; et q̄ meisme lestatut tiegne lieu en toutz pointz dev̄s chescun pnour & p'veour, de chescune man̄e des vittailles en chescune ptie du Roialme de quele condition qil soit.

Auxint p'ceo q̄ div̄ses opinions ount este einz ces heures qeu cas, q^a nt il avient doit estre dit treson, & en quel cas noun, le Roi a la requeste des Seign's & de la Cōe, ad fait declarissement q̄ ensuit, Cest assavoir;

STATUTE THE FIFTH.

AT the Parliament summoned at Westminster in the Feast of St. Hilary, the Year of the Reign of our Lord King Edward the Third [after the Conquest,] of England the Five and twentieth, and of France the Twelfth; our said Lord the King, by the assent of the Prelates, Earls, Barons, and of all the Commonalty of his Realm of England summoned to the Parliament, to the honour of God and Holy Church, and in Amendment of his said Realm, hath ordained and established the Things underwritten.

I. Corn shall be taken by Purveyors by Measure striked.

FIRST, Forasmuch as great and outrageous damage and grievance hath been done to the People by the Takers and Purveyors of Victuals, for the Houses of our Sovereign Lord the King, the Queen, and their Children; It is accorded and assented in the said Parliament, That the Takers (1) of Corn for the said Houses shall take the same by Measure striked according as it is used through the Land. And that such Corn, Hay, Litter, Bestall and all other Victuals and Things, which shall be taken for the said Houses, shall be [taken [2]] by the very Value, by the Constable and other good People of the Towns where such Taking shall be made, without that that the Praisers by Menace or Duress shall be driven to set any other Price than their Oath will, and as commonly runneth in the next Markets. And that betwixt the Purveyors and them whose Goods shall be taken in the presence of the Constables and Praisers, Tallies be made incontinently, without that that the People whose Goods shall be taken, shall be drawn or travelled elsewhere, and the same Tallies sealed with the Seals of the Takers of the Things so taken, by which Tallies Gree shall be made to them whose Goods shall be so taken; and if any Purveyor or Taker for the said Houses, do in any other Manner, he shall be [maintenant [3]] arrested by the Town where the Taking shall be made, and brought to the next Gaol; and if he be thereof attainted, it shall be done of him as of a Thief, if the Quantity of the Goods the same require; according as in a Statute made in the Time of our Sovereign Lord the King that now is, the Fifth Year of his Reign, and in another Statute made in the Time of the King's Grandfather upon such Takings, is contained more at the full: and that from henceforth in the Commissions of such Takers and Purveyors, the Intent and Pain limited in this Statute shall be contained: and that no Commission be made, but only under the King's great Seal or Privy Seal; nor that no Man be bound to obey [any such Commissions, other or in what Manner [4]] than is aforesaid; and that the same Statute take place in all Points against every Taker and Purveyor of every Manner of Victual in every part of the Realm, of what Condition soever he be.

Tallies of the Goods taken.

Punishment for undue Purveyance as under Stat. 5 E. III. c. 2.

Purveyors' Commissions shall be under the Great or Privy Seal.

II. Declaration what Offences shall be adjudged Treason.

ITEM, Whereas divers Opinions have been before this Time [in what Case Treason shall be said, and in what not; [5]] the King, at the Request of the Lords and of the Commons, hath made a Declaration in the Manner as hereafter followeth, that is to say; When a Man

[1] *and Purveyours*
[2] praysed
[3] immediately
[4] any other Commyssions, or in other manner *MS. Tr.* 2.
[5] what case should be adjudged Treason, and what not;

Compassing the Death of the King, Queen, or their eldest Son; violating the Queen, or the King's eldest Daughter unmarried, or his eldest Son's Wife; levying War; adhering to the King's Enemies; counterfeiting the King's Seals, or Money; importing counterfeit Money; killing the Chancellor, Treasurer, or Judges in Execution of their Duty. The King shall have the Forfeiture of all the Offenders' Lands. Petit Treason. Forfeiture of the Lands to the Lords.

doth compass or imagine the Death of our Lord the King, or of our Lady his [Queen [1]] or of their eldest Son and Heir; or if a Man do violate the King's [Companion,[1]] or the King's eldest Daughter unmarried, or the Wife ([2]) the King's eldest Son and Heir; or if a Man do levy War against our Lord the King in his Realm, or be adherent to the King's Enemies in his Realm, giving to them Aid and Comfort in the Realm, or elsewhere, and thereof be [probably [1]] attainted of open Deed by [the People [4]] of their Condition: And if a Man counterfeit the King's Great or Privy Seal, or his Money; and if a Man bring false Money into this Realm, counterfeit to the Money of England, as the Money called Lushburgh, or other, like to the said Money of England, knowing the Money to be false, to merchandise or make Payment in Deceit of our said Lord the King and of his People; and if a Man slea the Chancellor, Treasurer, or the King's Justices of the one Bench or the other, Justices in Eyre, or Justices of Assise, and all other Justices assigned to hear and determine, being in their Places, doing their Offices: And it is to be understood, that in the Cases above rehearsed, [that [5]] ought to be judged Treason which extends to our Lord the King, and his Royal Majesty: And of such Treason the Forfeiture of the Escheats pertaineth to our Sovereign Lord, as well of the Lands and Tenements holden of other, as of himself: And moreover there is another manner of Treason, that is to say, when a Servant slayeth his Master, or a Wife her Husband, or when a Man secular or Religious slayeth his Prelate, to whom he oweth Faith and Obedience; and [of such Treason the Escheats ought to pertain [6]] to every Lord of his own Fee: And because that many other like Cases of Treason may happen in Time to come, which a Man cannot think nor declare at this present Time; It is accorded, That if any other Case, supposed Treason, which is not above specified, doth happen ([7]) before any Justices, the Justices shall tarry without any going to Judgement of the Treason, till the [Cause [8]] be shewed [and declared before the King and his Parliament,[9]] whether it ought to be judged Treason or [other [10]] Felony. And if percase any Man of this Realm ride armed [coverly [11]] or secretly with Men of Arms against any other, to slay him, or rob him, or take him, or retain him till he hath made Fine or Ransom for to have his Deliverance, it is not the Mind of the King nor his Council, that in such Case it shall be judged Treason, but shall be judged Felony or Trespass, according to the Laws of the Land of old Time used, and according as the Case requireth. And if in such Case, or other like, before this Time any Justices have judged Treason, and for this Cause the Lands and Tenements have comen into the King's hands as Forfeit, the chief Lords of the Fee shall have the Escheats of the Tenements holden of them, whether that the same Tenements be in the King's hands, or in others, by Gift or in other Manner; Saving always to our Lord the King the Year, and the Waste, and the Forfeitures of Chattels, which pertain to him in the Cases above named; and that [the Writs [12]] of Scire facias be granted in such Case against the Land-tenants, without other Original, and without allowing [any Protection [13]] in the said Suit; and that of the Lands which be in the King's hands, Writs be granted to the Sheriffs of the Counties where the Lands be, to deliver them out of the King's hands without Delay.

Certain Offences not Treason.

In such Cases already happened, the Chief Lords shall have the Escheats.

Saving the King's Year and Waste.

Scire facias to Terre-tenants, &c.

III. Challenge of an Indictor upon an Inquest.

ITEM, It is accorded, That no Indictor shall be put in Inquests upon Deliverance of the Indictees of Felonies or Trespass, if he be challenged for that same cause by him which is so indicted.

[1] Wife [2] of
[3] proveably *MS. Tr.* 2. [4] People [5] it
[6] *such Manner of Treason giveth Forfeiture of Escheats*
[7] of new, *MS. Tr.* 2. [8] Case
[9] *before the King in his Parliament, and it be declared*
[10] else [11] *openly*
[12] Writs [13] the Protection of our Lord the King

q̃nt hõme fait compasser ou ymaginer la mort nr̃e Seign[r] le Roi, ma dame sa compaigne, ou de lour fitz primer & heir; ou si hõme violast la compaigne le Roi, ou leisnesce filt le Roi nient marie, ou la compaigne leisne fitz & heir du Roi; & si hõme leve de guerre contre nr̃e dit Seign[r] le Roi en̄ son Roialme, ou soit aherdant as enemys nr̃e Seign[r] le Roi en le Roialme, donant a eux eid ou confort en son Roialme ou p aillours, & de ceo pvablement soit atteint de ovt faite p gentz de lour condicion: et si hõme contreface [les g[n]t ou prive sealx le Roi,[1]] ou sa monoie, et si hõme apport faus monoie en ceste Roialme contrefaite a la monoie Dengletre, sicome la monoie appelle [Lucynburgh [2]] ou autre semblable a la dite monoie Dengletre, sachant la monoie estre faus, p[r] marchander, ou paiement faire en deceit nr̃e dit Seign[r] le Roi & son poeple; et si hõme tuast Chanceller, Tresorer, ou Justice nr̃e Seign[r] le Roi del un Baunk ou del autre, Justice en Eir & des assises & toutes aut̃s Justices assignez a oier & t̃miner esteiantz en lours places en fesantz lours offices: et fait a entendre qen les cases suisnomez doit estre ajugge treson [q̃ sestent [3]] a nr̃e Seign[r] le Roi & a sa roial majeste; et de tiele mañe de treson la forfait'e des eschetes apptient a nr̃e Seign[r] le Roi, si bien des t̃res & teñz tenuz des aut̃s, come de lui meismes: et ovesq̄, ceo il yad autre mañe de treson, cest assavoir q[n]t un s̃vant tue son meistre, une fẽme q̃ tue son baron, q[n]t hõme seculer ou de religion tue son Prelat, a qi il doit foi & obedience; & tiele mañe de treson donn forfait'e des eschetes a chescun Seign[r] de son fee ppre: et p[r] ceo q̃ plusurs aut̃s cases de semblable treson p'ront escheer en temps a venir, queux hõme ne p'ra penser ne declarer en p̃sent, assentu est q̃ si autre cas supposee treson q̃ nest especifie p amount aviegne de novel devant ascunes Justices, demoerge la Justice saunz aler au juggement de treson, tanq̄ p devant nr̃e Seign[r] le Roi [en [4]] son plement soit le cas monstree & desclarre le quel ceo doit estre ajugge treson ou autre felonie. Et si p cas ascun hõme de cest Roialme chivach̃ arme descovert ou secrement od gentz armees contre ascun autre, p[r] lui tuer ou derober, ou p[r] lui p̃ndre & retenir tanqil face fyn ou raunceon p[r] sa deliv̄rance avoir, nest pas lentent du Roi & de son conseil q̃ en tiel cas soit ajugge treson, einz soit ajugge felonie ou t̃spas solonc la lei de la t̃re auncienement usee, & solonc ceo q̃ le cas demand: et si en tieu cas, ou autre semblable devant ces heures, ascune Justice eit ajugge treson, & p celle cause les t̃res & teñz soient devenuz en la main nr̃e Seign[r] le Roi come forfaitz, eient les chiefs Seign's de fee lours eschetes des teñz de eux tenuz, le quel q̃ les teñz soient en la main nr̃e Seign[r] le Roi, ou en la main des aut̃s, p donn ou en autre mañe; Sauvant totefoitz a nr̃e Seign[r] le Roi lan & le wast, & aut̃s forfait'es des chateux q̃ a lui attenent en les cases suisnomez; et q̃ briefs de Scire fac̃ v̄s les t̃res tenantz soient g[n]tez en tieu cas, saunz autre originale & saunz allower la pteccion nr̃e Seign[r] le Roi en la dite seute; et q̃ de les t̃res q̃ sont en la main le Roi, soit g[n]te brief as viscontes des Countees la ou les t̃res s̃ront de ostier la main le Roi saunz outre delaie.

Auxint acorde est, q̃ nul enditour soit mys en enquest s[r] la deliv̄ance del endite de t̃spas ou de felonie, sil soit chalange p tiele cause p celui qest endite.

[1] le grant seal le Roi, *Rot. Parl.* 25 *E.* 3. *P. II. nu.* vij. (17.)
[2] Lusseburgh *Rot. Parl.* [3] q̃ ce estent *Rot. Parl.*
[4] & *Rot. Parl.*

Estre ceo, come contenu soit en la g^nt Chre des franchises Dengletre q̃ nul soit pris ne emprisone, ne ouste de son frank ten̄ ne de ses franchises ne de ses franches custumes, sil ne soit p lei de la tre; Acorde est, assentu & establi, q̃ nul desore soit pris p peticion ou suggestion faite a nr̃e Seign^r le Roi ou a son conseill, sil ne soit p enditement ou psentement des bones & loialx du visnee ou tiele fait se face, & en due man̄e, ou pces fait sur brief original a la cō̃e lei; ne q̃ nul soit ouste de ses franchises ne de son frākten̄ sil ne soit mesne duement en respons, & forjugge dyceles p voie de lei; et si rien soit fait al encontr̄ soit redresse & tenue p^r nul.

Ensement acorde est & establi, q̃ executours des executours eient accion des dettes, acomptes, & des biens emportez du primer testatour, & execucion des estatutz marchantz & reconissances faites en court de record au pmer Testatour, en meisme la man̄e come le pmer testatour avoit sil feust en vie, auxibien daccions de temps passe, come de temps avenir, en toutz cases ou juggementz ne sont pas renduz unqore entre tieux executours des executours; mes q̃ les juggementz a cont^ire en temps passe, estoisent en lour force; et q̃ meismes les executours des executours respoignent as aut̄s de tant come ils averont recovi des biens du pmer testatour, sicome les pmers executours ferroient sils feussent en pleine vie.

Auxint acorde est & assentu, q̃ nul pnour de buche ou de maerisme al oeps nr̃e Seign^r le Roi, p^r oveyns ne p^r aut̄s choses faire, coupe, ne abate les arbres de nully cressantz entour ou dedeinz sa mansion; et si nul face au cont^ire face gre a la ptie du damage au treble, & eit la prisone dun an, & soit forjugge de son office.

Estre ceo est acorde & establi, q̃ nul Forester ne Gardein des forestes, ou des chaces, ne nul autre Ministre, ne face ne coille put^e ne nul autre coillect des vitailles ne de nul autre chose, p colour de son office contre nully volunte, deinz lour baillie ne dehors, forspris ce qest due dauncien droit.

Auxint acorde est & assentu, q̃ nul hōme soit arte de trover gentz darmes, hobellers narchers aut̄s q̃ ceux q̃ tiegnent p tiele vice, sil ne soit de cō̃e assent & g^nt fait en plement. Ensement p^ce q̃ tresgrant damage & desceit est fait au poeple, p tant q̃ plus's marchantz usent dachater & poiser leines & aut̄s marchandises p une pois qest appelle Aunsell, acorde est & establi, q̃ celle pois appelle Aunsell entre achatour et vendour soit del tout oste, & q̃ chescun vend & achatte p balances, issint q̃ les balances soient owels & les leines & aut̄s marchandises owelment poisez p droit pois; et q̃ le sak de leine ne poise q̃ vint & sys peres, & chescun pere poise quatorze livres, & q̃ lestater de la balance ne encline ne a lune ptie, ne al autre, & q̃ le pois soit acordant al estandard del Escheker: et si nul achatour face al encontre, soit grevousement puny si bien a la seute de ptie come a la seute nr̃e Seign^r le Roi.

Auxint come contenue soit en la g^nde Chr̃e q̃ une mesure soit usee pmy tout Englet̄re, la quele chartre nad mie este tenu bien en ceo point avant ces heures; si est acorde & assentu, q̃ touz les mesures cest asavoir bussel, đi bussel, & peck, galon, potel & quart, p toute Englet̄re deinz franchise & dehors soient acordauntz al estandard nr̃e Seign^r le Roi; & contiegne le quart̄ oet busselx p lestandard & nient pluis; & soit chescune mesure de blee rase saunz comble, sauvez les rentes & fermes des Seign^rs queles soient mesurez p tiele mesure come eles soleient avant ces heures:

de mensur̄ & pond.

ITEM, Whereas it is contained in the Great Charter of the Franchises of England, that none shall be imprisoned nor put out of his Freehold, nor of his Franchises nor free Custom, unless it be by the Law of the Land; It is accorded assented, and stablished, That from henceforth none shall be taken by Petition or Suggestion made to our Lord the King, or to his Council, unless it be by Indictment or Presentment of good and lawful People of the same neighbourhood where such Deeds be done, in due Manner, or by Process made by Writ original at the Common Law; nor that none be out of his Franchises, nor of his Freeholds, unless he be duly brought into answer, and forejudged of the same by the Course of the Law; and if any thing be done against the same, it shall be redresseed and holden for none.

IV. None shall be taken upon Suggestion without lawful Presentment; nor disfranchised, but by Course of Law.

ITEM, It is accorded and stablished, That Executors of Executors shall have Actions of Debts, Accompts, and of Goods carried away of the first Testators, and Execution of Statutes Merchants and Recognizances made in Court of Record to the first Testator, in the same Manner as the first Testator should have had if he were in Life, as well of Actions of the Time past, as of the Time to come, in all Cases where Judgement is not yet given betwixt such Executors (1); but that the Judgements given to the contrary to this Article in Times past shall stand in their Force; and that the same Executors of Executors shall answer to other of as much as they have recovered of the Goods of the first Testators, as the first Executors should do if they were in full Life.

V. Executors of Executors shall have the same Rights and Duties as the first Executors.

ITEM, It is accorded and stablished, That no Taker of Wood nor of Timber to the King's Use for work, nor for to make other thing, shall cut or cast down the Trees of any Man growing about or within his House; and if any do to the contrary, he shall make Gree to the Party of his Treble Damage, and to have one year's Prison and to be forejudged of his office.

VI. Purveyors shall not take Trees about the Mansion.

MOREOVER It is accorded and stablished, That no Forester, nor Keeper of Forest or Chase, nor any other Minister, shall make or gather Sustenance, nor other Gathering of Victuals, nor other Thing, by colour of their Office, against any Man's Will, within their Bailiwick nor without, but that which is due of old Right.

VII. Keepers of Forests shall not exact Puture, &c. by colour of Office.

ITEM, It is accorded and assented, That no Man shall be constrained to find Men of Arms, Hoblers, nor Archers, other than those which hold by such Services, if it be not by common Assent and Grant made in Parliament.

VIII. No finding of Men of Arms, but by Tenure, or Grant in Parliament.

ITEM, Whereas great Damage and Deceit is done to the People, for that divers Merchants use to buy and weigh Wools and other Merchandises, by a Weight which is called Auncel; It is accorded and established, That this Weight called Auncel betwixt Buyers and Sellers, shall be wholly put out; and that every Person do sell and buy by the Balance, so that the Balance be even, and the Wools and other Merchandizes evenly weighed by right Weight; so that the Sack of Wool weigh no more but xxvi Stones, and every Stone to weigh xiv l. and that the Beam of the Balance do not bow more to the one part than to the other; and that the Weight be according to the Standard of the Exchequer: And if any Buyer do the contrary, he shall be grievously punished, as well at the Suit of the Party, as at the Suit of our Lord the King.

IX. Auncel Weight abolished. Goods shall be weighed by Balance.

ITEM, Whereas it is contained in the Great Charter, that one Measure shall be throughout England, which Charter hath not been well kept and holden in this point in Times past; It is accorded and assented, That all the Measures, that is to say, Bushels, Half-bushels, Peck, Gallon, Pottle, and Quart, throughout England, within Franchises and without, shall be according to the King's Standard; and the Quarter shall contain Eight Bushels by the Standard, and no more; and every Measure of Corn shall be striken without Heap, saving the Rents and Ferms of Lords, which shall be measured by such Measures as they were wont in Times past.

X. Magna Carta, chapter 25. respecting Measures recited and enforced.

[1] of Executors

And the Purveyors of the King, of the Queen, and all other, shall make their Purveyances by the same Measure striked in the same manner; and at all Times that shall be needful, [and [1]] our Lord the King shall assign certain Justices in every County to inquire, hear, and determine upon the Points aforesaid, and upon the same to do Punishment according to the Trespass, as well at the Party's Suit as at the King's; so always, that all Manner of Franchises be saved to the Lords in all Points without Blemish to be made in any Manner.

Justices shall inquire of and punish the Offenders.

Saving of Franchises.

XI. Aid to make the King's Son Knight, or to marry his Daughter.

ITEM, It is assented, That reasonable Aid to make the King's eldest Son Knight, and to marry his eldest Daughter, shall be demanded and levied after the Form of the Statute thereof made, and not in other Manner, that is to say, of every (1) Fee holden of the King without mean, Twenty Shillings and no more, and of every twenty pound of Land holden of the King without mean in Socage twenty Shillings and no more.

XII. None shall take Profit by Exchange of Gold or Silver.

ITEM, It is accorded, That it shall be lawful for every Man to exchange Gold for Silver, [or Silver for Gold, or for Gold and Silver,[3]] so that no Man hold [the same as exchanged,[4]] nor take no Profit for making such Exchange, upon Pain of Forfeiture of the Money so exchanged; except the King's Exchangers, which take Profit of such Exchange, according to the Ordinance afore made.

XIII. The current Coin shall not be impaired.

ITEM, It is accorded, That the Money of Gold and Silver which now runneth, shall not be impaired in Weight nor in Allay; but as soon as a good way may be found, the same be put in the antient State, as in the Sterling.

XIV. Process against Persons indicted of Felony.

ITEM, It is accorded, That after any Man be indicted of Felony before the Justices in their Sessions to hear and determine, it shall be commanded to the Sheriff to attach his Body by Writ or by Precept, which is called a Capias; and if the Sheriff return in the same Writ or Precept, that the Body is not found, another Writ or Precept of Capias shall be incontinently made, returnable at three weeks after; and in the same Writ or Precept it shall be comprised, that the Sheriff shall cause to be seised his Chattels, and safely to keep them till the Day of the Writ or Precept returned; and if the Sheriff return, that the Body is not found, and the Indictee cometh not, the Exigend shall be awarded, and the Chattels shall be forfeit, as the Law of the Crown ordaineth; but if he come and yield himself, or be taken by the Sheriff, or by other Minister, before the Return of the second Capias, then the Goods and Chattels shall be saved.

XV. The Penalty of Purveyors taking more Sheep before shearing Time than are wanted.

ITEM, Forasmuch as the Takers and Buyers of the King's Prises, do take Sheep from the People betwixt Easter and the Feast of Saint John Baptist, with their Wools, and prise the same at a small Price, and after send them to their own Houses, and do them to be shorn to their own Profit, in deceit of the King, and great Oppression of the People; It is accorded, that no such Taker, Purveyor, nor Buyer, shall take any Sheep before the Time of shearing, but as much as may reasonably suffice till the Time of shearing; and after that Time they shall take as many Sheep shorn, and not other, that may reasonably suffice them for the Time to come: And if any Taker, Purveyor, or Buyer of the Realm, do against the same, and be thereof attainted at the Suit of the King, or of the Party, it shall be done of him as of a Thief or a Robber; and the pain shall be contained in every Commission of such Purveyors.

XVI. Exception of Nontenure of Parcel.

ITEM, It is accorded, That by the Exception of Nontenure of Parcel no Writ shall be abated, but for Quantity of the Nontenure which is alledged.

XVII. Process of Exigent in Debt, Detinue, and Replevin.

ITEM, It is accorded, That such Process shall be made in a Writ of Debt, and Detinue of Chattels, and taking of Beasts, by Writ of Capias, and by Process of Exigend [by [1]] the Sheriff's Return, as is used in a Writ of Accompt.

[1] Omit this Word. [2] *Knight's*
[3] *or for Gold, or Silver for Silver or for Gold,*
[4] *a common Exchange* [5] upon

et *facent* les p'veours le Roi, ma dame la Roigne, & toutz autres, lours p'veances p meismes les mesures rases, & en meisme la manᷣe; & a toutes les foitz q̃ mestier ȳra, nr̃e Seign'r le Roi assignera ẗeines Justices en chescune Countee, denqueer & doier & ẗminer s' les pointz suisditz, & de faire s' ce due punissement, solonc chescun ẗspas, si bien a la seute de ptie, come a la seute le Roi; Issint totes foitz q̃ toutes manᷣes des franchises soient sauvez as Seign's en touz pointz saunz nul emblemissement ent faire en q̃cumq̃ manᷣe.

Estre ceo acorde est & assentu q̃ renable eid, p' faire leisne fitz le Roi Chivaler, & sa eisnesce filt marier, soit demande & leve solonc la forme del estatut ent fait, & nemie en autre manᷣe, cest assavoir de chescun fee (1) tenue du Roi saunz meen, vint souldz & nient plus; & de chescun vint livree de ẗre tenue du Roi saunz meen en sokage vint souldz & nient plus.

Ensement acorde est & establi, q̃ bien lise a chescun hom̃e de chaunger or p' argent ou p' or, ou argent p' argent ou p' or, issint q̃ nul hom̃e tiegne cõe eschaunge, ne rien p̃igne de ꝑfit p' tiel eschaunge faire, s' peine de forfait'e de la monoie issint chaungee, forprises les Chaungeours le Roi, les queux p̃ignent ꝑfit p' tiele eschaunge solonc lordenance avant faite.

Auxint acorde est & establi, q̃ la monoie dor & dargent qore coert, ne soit mie empire, en pois nen alai; mes au plus tost q̃ hom̃e pusse trover bone voie qele soit mys en launcien estat, come en esterling.

Et auxint est acorde & assentu, q̃ aꝑs ceo q̃ ascun hom̃e soit endite de felonie devant Justices en lour sessions doier & ẗminer, soit cõmande au viscont dattacħ son corps, p brief ou p̃cept qest appelle Capias, & le viscount retourn en le dit brief ou p̃cept q̃ le corps soit mie trovee, meintenant soit autre brief ou p̃cept de Capias fait, retournable as trois symeignes aꝑs; & en meisme le brief ou p̃cept soit compris q̃ le viscount face seisir les chateux & les sauvement garder tanq̃ a jour de brief ou p̃cept retournable; et si le viscount respoigne q̃ le corps nest pas trovee, ne lendite vient point, soit lexigend agarde & soient les chateux forfaitz, sicome la lei de la corone demand; Mes sil viegne & se rend ou soit pris p viscount ou p autre Ministre devant le retourn̄ del sc̃de Capias, adonq̃s soient les biens & les chateux sauvez.

Ensement p'ce q̃ les achatours & ꝑnours des prises le Roi ꝑnent berbitz du poeple, ꝑentre la Pasch̄ et la fest de Seint Johan od les leines, & les fount preiser a [mene [2]] pris, & puis les mandent a lours mesons demesne & les fount tounder a lour ꝑfit demesne, en deceit du Roi & g'nt opp̃ssion du poeple, Si est acorde & assentuz, q̃ nul des tieux Purveours, ꝑnours & achatours ne p̃igne nules berbitz devant la seisone du toundeson, forsq̃ a tantz q̃ p'ront suffire resonablement tanq̃ au temps du toundison, & aꝑs cel temps p̃igne il a tantz de berbitz tounduz & nemie aurs, come p'ront suffire resonablement p' le temps avenir; et si nul P'veour, ꝑnour ou achatour du Roialme, face al encontre, & de ceo soit atteint a la seute le Roi ou de ptie, soit fait de lui come de laron ou de robbour, & soit la peine contenue en chescune cõmission des tieux p'veours.

Auxint acorde est & assentue, q̃ p excepcion de nounten'e de pcell null brief soit abatu forsq̃ p' la quantite de la nounten'e qest alegge. Ensement acorde est & assentue, q̃ autiele ꝑces soit fait en brief de dette, deteneu des chateux, & en prises des avers p brief de Capias, & p ꝑces dexigend, p retourn̄ de viscount, sicome est usee en brief dacompt.

[1] de Chivaler *Rot. Parl.* 25 *E. III. P. II. nu.* xix. (29.)
[2] petit *Printed Copies*—mesne *Rot. Parl.* xxxj. (41.)

Estre ceo acorde est & assentue, q̃ nient contreesteant adjournement faite en Eire p brief de lib̃tate p̃banda p'chacee en favour des neifs, p' delaier les Seign'rs de lours accions dev̄s tieux neifs, soient les Seign'rs receux dalegger excepcions de villenage contre lours vileins en toutz briefs le quel q̃ les ditz briefs de lib̃tate p̃banda soient p'chacez p deceit ou en autre man̄e, et q̃ les Seign'rs pussent seisir les corps de lours vileins, auxi bien come ils p'roient devant q̃ tieux briefs de lib̃tate p̃banda feurent ordenez & p'chacez.

Auxint come nr̃e Seign' le Roi eit avant ces heures fait p̃teccions as div̄ses gentz q̃ lui estoisent tenuz en ascun̄ man̄e des dettes, qils ne s̄ront mie empledez des dettes queles ils deivent as aut̄s, tanq, ils eussent fait gre a nr̃e Seign' le Roi de ceo q̃ lui estoit due p eux p resoun de sa p̄rogative, & issint durantes tieles p̃teccions nul h̄ome ad este osee dempleder tieux dett's; acorde est & assentue, q̃ nient contreesteant tieles p̃teccions les p̃ties qount accions a lours dettours, soient respounduz en la Court le Roi p lours dettours, et si juggement soit sur ceo rendu p' le plaintif ou demandant, soit lexecucion de cel juggement mys en suspens̄ tanq, gre soit fait au Roi de sa dette; et si les Creansours voillent emp̄ndre p' la dette le Roi, soient ils a ceo receuz, & outre eient execucion dev̄s lours dettours de dette a eux due, & auxint recov̄ent dev̄s eux tant come ils paieront p' eux au Roi.

Ensement acorde est & assentue, q̃ les Moneours, & aut̄s gardeins & Ministres de la monoie, receivent plat dor & dargent p pois, & en meisme la man̄e deliv̄ent les monoies q̃nt eles s̄ront faitz p pois, & nemie p nombre, saunz nully targer. Estre ce, come avant ces heures les Botillers nr̃e Seign' le Roi & lours deputees soleient p̄ndr̃, & p̃nent de jour en autre, moult plus des vyns, p colour de lour office al oeps nr̃e Seign' le Roi qil ne bosoigneroit, des queux les plus fiebles ils deliv̄ent al oeps nr̃e f' le Roi, & les meillours en g̃nt nombre ils retiegnent dev̄s eux a vendre & a faire ent lour p̃fit, & alafoitz ils relessent as marchantz ceo qils ount pris de eaux, p' fines & donnes qils p̄ignent de meismes les marchantz p extorsion, en g̃nt damage & empov̄issement des ditz marchantz; si est acorde & establi q̃ le Seneschal del Hostiel le Roi, & le Tresorer de la Garderobe, mandent as touz les portz Dengletr̃e la ou vyns sont a p̄ndr̃ al oeps le Roi le c̄tein nombre q̃ le Botiller p̄ndra en chescun port, si q̃ rien soit pris outre cel nombre; et q̃ Meir & Baillifs des ditz portz c̄tifient les ditz Seneschal & Tresorer le nombre des toneux issint prises p le Botiller ou ses lieutenantz, souz les seals des ditz Meir & Baillifs, & p endenture faite entre eaux & les p̃nours des ditz vines; et en cas qil soit trove q̃ le Botiller ou ses lieu tenantz p̄ignent plus ou p̄ignent lower de nully ou delaie nully p colour de son office, come p arest, face gre de double a la p̃tie & soit ouste de son office, & eit la prison & soit reint a la volunte le Roi; et le Roi assignera ses Justices q̃nt lui plerra denquere sur cestes choses; & respoigne le Botiller sibien p' ses deputees come p' lui meismes, la ou ils ne sont mie sufficeantz.

Auxint p' ce q̃ ascuns p'chacent a la Court de Rome p̃visions, davoir Abbeies & Priories en Englet̄re, en destruccion du Roialme & de seinte religion, acorde est & assentue q̃ chescun q̃ p'chace tieles p̃visions dabbeie ou de priorie, q̃ lui & ses executours & p̃curatours q̃ suent & fount execucion de tieles p̃visions, soient hors de la p̃teccion nr̃e Seign' le Roi; & q̃ h̄ome pusse faire

ITEM, It is accorded and assented, that notwithstanding adjournment made in Eyre, by Writ of Libertate probanda, purchased in favour of Villaines to delay the Lords of their Actions of such Villaines, the same Lords shall be received to alledge the Exception of Villainage against their Villaines in all Writs, whether that the said Writs of Libertate probanda were purchased by deceit or in other manner; and that the Lords may seise the Bodies of their Villaines, as well as they might before that the Writs of Libertate probanda were ordained or purchased.

XVIII. Villainage may be pleaded, and a Villaine seized, pending a Writ of Libertate probanda.

ITEM, Forasmuch as our Lord the King hath made before this Time Protections to divers People, which were bounden to him in some manner of Debt, that they should not be impleaded of the Debts which they owed to other, till they had made Gree to our Lord the King of that which to him was due by them, by reason of his Prerogative; and so during such Protections no Man [hath used, nor '] durst implead such Debtors; It is accorded and assented, That notwithstanding such Protections, the Parties which have Actions against their Debtors, shall be answered in the King's Court by their Debtors; and if Judgement be thereupon given for the Plaintiff or Demandant, the Execution of the same Judgement shall be put in Suspence till Gree be made to the King of his Debt; and if the Creditors will undertake for the King's Debt, they shall be thereunto received, and shall have Execution against the Debtors of the Debt due [and adjudged '] to them, and also shall recover against them as much as they shall pay to the King for them.

XIX. The King's Debtors suable notwithstanding Protections.

Stay of Execution, until Payment of King's Debt; or the Creditors undertake for it.

ITEM, It is accorded and assented, That the Moneyors, and other Wardens and Ministers of the Money, shall receive Plate of Gold and Silver by the Weight; and in the same Manner shall deliver the Money when it shall be made, by Weight, and not by Number, without any tarrying.

XX. Plate shall be received at the Mint, and Coin delivered, by Weight.

ITEM, Whereas before this Time the King's Butlers and their Deputies were wont to take, and daily do take much more Wine, by Colour of their Office, to the King's Use, than they shall need, whereof the worst they deliver to the King's Use, and the best in great Number they retain to themselves, to sell and make thereof their Profit; and sometime they release to Merchants that which they have taken of them, for Fines and Gifts, which they take of the same Merchants by Extortion, to the great Damage and Impoverishment of the said Merchants; It is accorded, That the Steward of the King's House, and Treasurer of the Wardrobe, shall send to all the Ports of England, where Wines be to be taken to the King's Use, the certain number which the Butler shall take in every Port, so that nothing be taken over this Number; and that the Mayor and Bailiffs of the said Ports certify the said Steward and Treasurer of the Number of all the Tuns so taken by the Butler or his Lieutenant, under the Seal of the said Mayor and Bailiffs, by Indentures made betwixt them and the Takers of the said Wines; and in case that it be found, that the Butler or his Lieutenant take more, or take Reward of any, or delay any by Colour of his Office, as by arrest, he shall make Gree to the Party of the double, and shall be put out of his Office, and have Imprisonment, and be ransomed at the King's Will; and the King shall assign his Justices when it shall please him, to enquire upon these Things; and the Butler shall answer as well for his Deputies as for himself, where they be not sufficient.

XXI. Abuses by the King's Butlers in Purveyance of Wine.

Regulations therein.

Punishment of the Butlers.

ITEM, Because that some do purchase in the Court of Rome Provisions, to have Abbies and Priories in England, in Destruction of the Realm, and of Holy Religion; It is accorded, That every Man that purchaseth such Provisions of Abbies or Priories, that he and his Executors and Procurators, which do sue and make Execution of such Provisions, shall be out of the King's Protection; and that a Man may do with them as of

XXII. Penalties on purchasing Provisions at Rome, for Abbies, or Priories.

' } Old Printed Copies omit these Words.

Enemies of our Sovereign Lord the King and his Realm; And he that offendeth against such Provisors in Body or in Goods, or in other Possessions, shall be excused against all People, and shall never be impeached nor grieved for the same at any Man's Suit.

XXIII. Companies of Lombards answerable for the Debts of their Fellows.

ITEM, Whereas much People of the Realm, which have made Contracts with Lombards, that be named of the Companies dwelling in the same Realm, which Lombards after that they have made their Obligations to their Creansours, have suddenly escaped out of the Realm without Agreement made to their said Creansours, in deceit and great damage of the People: It is accorded and assented, That if any Merchant of the Company, knowledge himself bound [by the Manner,[1]] that the Company shall answer of the Debt. So that another Merchant which is not of the Company, shall not be thereby grieved or impeached.

[1] in that manner,

de lui come de enemy du Roi et du Roialme; et q̃ celui q̃ face contre tiels ꝑvisours en corps ou biens ou en aut̃s possessions, soit excuse dev̄s touz gentz, & ꝑ tant ne soit james greve nempeschee au seute de nully.

Auxint p̈ce q̃ plusurs gentz du Roialme, qont fait contractes ove Lumbardz q̃ sont nomez des compaignies demorantz en meisme le Roialme, queux Lombardz ap̄s qils ount fait lours obligacions a lours Creansours, se sont sodeinement eschapez hors du Roialme, saunz gre faire a les ditz Creansours, en deceit & g̈nt damage du poeple; acorde est & assentuz q̃ si nul marchant de compaignie conue se oblige ꝑ la mañe, q̃ la compaignie respoigne de la dette. Issint q̃ autre marchant qi nest mie de la compaignie ne soit ꝑ tant grevez nempeschez.

Of the proclaiming the Statute.

The King to the Sheriff of Kent, Greeting. Certain Statutes passed in our Parliament assembled at Westminster in the Feast of St. Hilary last past, by Us, the Prelates, Dukes, Earls, Barons, and others of the Commonalty of our Realm of England, summoned to the said Parliament, We do send to you under our Seal; charging you to cause the said Statutes to be read in your full County Court, and the same to be strictly observed, and holden. Witness the King at Westminster, the sixth day of March.

Like Writs are directed to all the Sheriffs through England, under the same date.

A like Writ is directed to the Justice of Ireland, changing what ought to be changed, under the same date.

Like Writs are directed to the Persons under-written, under the same date; that is to say:

William de Shareshull and his Companions, Justices assigned to hold Pleas before the King himself:

John de Stonore and his Companions, Justices of the Common Bench:

The Treasurer and Barons of the Exchequer.

D' ꝓclamac̃oe Statuti.

R̃ Vic̃ Kanc̃, salt̃m. Quedam statuta, in pliamento nr̃o apud Westm̃ in festo sc̃i Hillar̃ p̃x p̃t̃ito convocato, ꝑ nos Prelatos Duces Comites Barones & alios de c̃itate regni nr̃i Angl̃ ad d̃cm pliamentum s̃monitos, edita, tibi mittim⁹ sub pede sigilli nr̃i, mandantes qd̃ statuta p̃d̃ca in pleno Com̃ tuo legi & ea firmit̃ observari & teneri fac̃. T. R. apud Westm̃ vi. die Marc̃.

Cons̃ b̃ria dirigunt̃ singulis vicecomitib; ꝑ Angl̃ sub eadem data.

Cons̃ b̃re dirigit̃ Justic̃ Hib̃n̄ mutatis mutand̃ sub eadem data.

Cons̃ b̃ria dirigunt̃ subscriptis sub eadem data videl̃t.

Will̃o de Shareshull & sociis suis Justic̃ ad pl̃ita coram rege tenend̃ assigñ.

Joh̃ de Stonore & sociis suis Justic̃ de c̃oi Banco.

Thes̃ & Baronib; de scaccio.

In Margine Rotuli.

Ordinacio p' Clero f'c'a apud Westm̃, anno r. R. E. t'cii vicesimo quinto.

An ORDINANCE for the CLERGY, Made at Westminster in the Twenty-fifth Year of the Reign of K. Edward III.

Statute the Sixth.*

OUR Lord the King, seeing and examining by good Deliberation the Petitions and Articles delivered to him in his Parliament holden at Westminster in the Feast of St. Hilary, the Year of his Reign of England the Five and twentieth, and of France the Twelfth, by the Honourable Father in God, Simon Archbishop of Canterbury, and other Bishops of his Province, upon and for certain Grievances, which they alledged to be done to Holy Church, and to the Clergy, against the Privileges of Holy Church; and then they prayed, that

Ex magno Rot. Stat. in Turr. Lond. m. 16 *d.*

Nr̃e Seignour le Roi, veues & examinez ꝑ bone deliberacion les peticions & articles a lui bailliez en son plement, tenuz a Westmonster en la feste de seint Hillar̃ lan de son regne Dengleṫre vintisme quint, & de France duszisme, ꝑ Lon'able piere en Dieu Simon Ercevesq, de Can'birs et aut̃s Vesq̃s de sa ꝑvince, s̈ & p̈ ceteines grevances queles ils disoient estre faites a seinte eglise et a la clergie, encontre les privileges de seinte eglise, & dunk ils prierent q̃ cove-

* Statute the Third in all former Printed Copies; and entitled "Statutum pro Clero. A Statute for the Clergy."—It is entered on the Back of the Statute Roll. See the Note to Statute the First of this Year.

nable remedie ent fuist ordene, al reverence de Dieu & de seinte eglise, & de lassent de son dit plement, p^r lui & ses heirs voet & g^ant les pointz southescriptz.

Primement q̄ toutz les franchises et privileges g^antez p devant a la dite clergie soient confermez & t nuz en toutz pointz. Et q^nt as psentementz affaire p nr̄e dit Seignour le Roi ou nul de ses heirs, as benefices de seinte eglise en autri droit p auncien title, nr̄e Seignour le Roi, al hon^r de Dieu & de seinte eglise voet et g^ant, de meisme lassent de son dit plement, q̄ desore il ne nul de ses heirs ne pndra title de psenter a nul benefice en autri droit, de nul temps de ses pgenitours, ne q̄ nul Prelat de son roialme soit tenuz de receivre nul tiel psentement afaire, ne ent faire execucion; ne nule Justice del une place ne de lautre pusse ne deive s^r nul tiel psentement affaire plee tenir ou juggement doner; mes q̄ le dit Roi & ses heirs soient de touz tieuz psentementz forbarrez a touz jours, sauvant au dit Roi & a ses heirs toutz tielx psentementz en autri droit de tout son temps et de temps avenir.

Et p^ce q̄ en plement tenuz a Westmonstier lan du regne nr̄e dit Seign^r le Roi quatorzisme, entre aurs choses adonqes g^antez as Prelatz & a seinte eglise, estoit ordene q̄ le Roi ne pndroit title de psenter a nul benefice en autri droit, forsq̄ de vacacions q̄ aviendreient des tielx benefices deinz trois annz pscheins devant son psentement, quele chose semblast trop̄ pjudiciele au Roi & a ses heirs, Acorde est en cest plement q̄ la dite ordinance q^nt a ce point soit tenu p^r nule, & q̄ toutz les aurs articles contenuz en meisme lordenance, & g^antes adonq̄s faitz a seinte eglise, estoisent en lour force.

Auxint come nr̄e Seign^r le Roi eit, avant ces heures, pris title de psenter a suggestion des plusours clercs, la ou le title nad este vrei, & pmi tielx psentementz & juggementz s^r ce renduz, les clercs ount este receuz p Ordinaries des lieux, contre dieu & bone foi, & en depssion de ceux q̄ avoient bone & vrei title es ditz benefices; si voet le Roi & g^ant, q̄ a quele heure qil ferra collacion ou psentement desore a nul benefice ensi en autri droit, q̄ le title s^r quel il se fondra soit bien examinee qil soit vrei; et a quele heure q̄ avant le juggement rendu le title soit trovee p bone informacion nient vrei ne just, soit la collacion ou psentement ent fait repelle, & eit le patron ou le possessour, q̄ monstra & pva le faux title, s^r ce briefs de la Chancellerie q^nq̄ a lui sront busoignables.

Item come les ditz Prelatz eient grevousement pleint enpriant ent remedie, de ce q̄ clercs seculers, auxi bien Chapelleins come aurs, Moignes & aurs gentz de religion, eient este treinez & penduz p agard des Justices seculers, en pjudice des franchises, & depssion de jurisdiccion de seinte eglise; si est acorde & g^ante p le Roi, en son dit plement, q̄ touz manres des clercs, auxibien seculers come religiouses, qi sront desore convictz devant les Justices seculers p^r q̄com̄s felonies ou tresons touchantes aurs psones q̄ le Roi meismes ou sa roiale majeste, eient & enjoient franchement desore privilege de seinte eglise, & soient saunz nule empeschement ou delai livez a les Ordinaries eux demandantz. Et p^r ce g^ant le dit Ercevesq̄ pmist au Roi, q̄ sur le punissement & sauve gard de tieux clercs meffesours, q̄ sront ency as Ordenares livez, il enferroit ordenance covenable, p la quelle tieux clercs enserroient salvement gardez & duement puniz, ensi q̄ nul clerc empndreit mes baudure de ensi meffaire p defaute de chastiement.

a conveniable Remedy might be thereof ordained, to the Reverence of God and of Holy Church; by the Assent of his Parliament, for him and his Heirs, willeth and granteth the Points underwritten.

I. Confirmation of Privileges and Franchises.

FIRST, That all the Privileges and Franchises granted heretofore to the said Clergy be confirmed and holden in all Points. And as touching Presentments to be made by our Lord the King, or any of his Heirs, to a Benefice of Holy Church in another's Right by old Title, our said Lord the King, to the Honour of God and Holy Church, willeth and granteth, of the Assent of the said Parliament, that from henceforth he nor any of his Heirs shall not take Title to present to any Benefice in any other's Right of any Time of his Progenitors; nor that any Prelate of his Realm be bound to receive any such Presentment to be made, nor to do thereof any Execution; nor that any Justice of the one Place, or the other, may not nor ought not to hold Plea, or give Judgement upon any such Presentment to be made; but that the said King and his Heirs be for ever hereafter clearly barred of all such Presentments; saving always to him and his Heirs all such Presentments in another's Right [fallen, or to fall,[1]] of all his Time, and of the Time to come.

The King's Presentations to Benefices in Right of another, limited to Titles in his own Time.

II. A Repeal of the Statute of 14 Ed. III. Stat. 4. cap. 2. touching the King's Presentation to a Church, in another's Right.

AND, Because in the Parliament holden at Westminster the Fourteenth Year of the Reign of our Lord the King that now is, amongst other Things then granted to the Prelates of Holy Church, it was ordained, That the King should not take Title to present to any Benefice in another's Right, but of the Voidances which shall happen of such Benefices within Three Years next before his Presentment, which Thing seemeth very prejudicial to the King and his Heirs; It is accorded in this present Parliament, That the said Ordinance, as to this Point, shall be holden for none; but nevertheless, that all the other Articles contained in the said Ordinance, and [Grant[2]] then made to Holy Church shall stand in their Force.

III. On Presentations in another's Right the King's Title shall be examined.

ITEM, Whereas before this Time our Lord the King hath taken Title to present to Benefices at the Suggestion of many Clerks, where the Title hath not been true, and by such Presentments and Judgements thereupon given, the Clerks have been received by the Ordinaries of the Places, against God and good Faith, and in Depression of them which had good and true Title to the said Benefices; now the King will and granteth, That at what Time he shall [take[3]] Collation or Presentment from henceforth to any Benefice in another's Right, that the Title whereupon he groundeth himself shall be well examined that it be true; and at what Time before Judgement (*) the Title be found by good Information untrue or unjust, the Collation or Presentment thereof made, shall be repealed; and the Patron, or the Possessor, which shall shew and prove the false Title, shall have thereupon Writs out of the Chancery as many as to him shall be needful.

IV. Clerks convicted of Felony or Treason shall be delivered to their Ordinaries.

ITEM, Whereas the said Prelates have grievously complained, praying thereof Remedy, for that secular Clerks, as well Chaplains as other Monks, and other People of Religion, have been drawn and hanged by Award of the secular Justices, in Prejudice of the Franchises of Holy Church, and in Oppression of the Jurisdiction thereof; It is accorded and granted by the said King in his Parliament, That all Manner of Clerks, as well secular as religious, which shall be from henceforth convict before the secular Justices aforesaid, for any Treasons or Felonies touching other Persons than the King himself, or his Royal Majesty, shall from henceforth freely have and enjoy the Privilege of Holy Church, and shall be without any Impeachment or Delay delivered to the Ordinaries demanding them. And for this Grant the said Archbishop promiseth to our Lord the King, that upon the Punishment and safe keeping of such Clerks Offenders, which so shall be delivered to the Ordinaries, he shall thereof make a convenient Ordinance, whereby they shall be safely kept and duly punished, so that no Clerk shall take Courage to offend for Default of Correction.

[1] Not in Original; nor in MS.Tr. 2.
[2] *Grants* [3] make (*) *rendered*

V. Clerks arraigned shall not be remanded to Gaol, on surmise of other Offences.

ITEM, Although that Clerks arraigned of Felony before secular Justices, which challenged their Clergy, and were demanded by the Ordinary of the Place, have been often before this Time remanded to the Gaol by the said Justices, surmising to them, that other Things be to be said against them; nevertheless because the common Law is, That a Clerk in such Case ought not to be remanded to the Gaol, but ought to be presently arraigned of all, or otherwise delivered to the Ordinary; It is accorded, That this Point be kept by all manner of Justices and Judges secular throughout our Realm.

VI. Bishop's Temporalties shall not be seised for a Contempt.

ITEM, Because the Temporalties of Archbishops and Bishops have been oftentimes taken into the King's Hands for Contempts done to him upon Writs of Quare non admisit, and likewise for divers other Causes, whereof the said Prelates have prayed the King, that no such Taking shall from henceforth be made, sith they be Peers of the Land; the King will and granteth, in the same Parliament, That all the Justices which from henceforth shall give Judgement against any Prelate of the Land in such Case, or the like, that they in such Case may freely receive, and from henceforth shall receive for the Contempt so judged, a reasonable Fine of the Party so condemned, according to the Quantity of the Trespass, and after the Quality of the Contempt, incontinently at the Time of the Judgement, if the Party offer the same, or otherwise after the Judgement, at what Time the Party will offer himself; and if it need, the Chancellor and the Treasurer shall be called to the Receipt of the said Fines.

VII. The Title taken for the King to a Benefice lapsed, may be counterpleaded.

ITEM, Because that many Presentments to divers Benefices of Holy Church, as well of the Patronage of Lay People, as of People of Holy Church, which were void by Six Months, whereof the Collation of such Benefices by Lapse of Time was devolute, and of Right pertaining to the Ordinaries of the Places, were recovered by the King by Judgements thereof given of the Assent of the said Patrons, in Deceit of the said Collations so made reasonably by the said Ordinaries; in which Pleas (1) the Ordinaries nor their Clerks, to whom they did give such Benefices, were not received to shew nor defend their Right in this Behalf, [nor to counterplead the King's Right so claimed,[2]] which is not reasonable; Wherefore the King, by the Assent of the said Parliament, will and granteth for him and his Heirs, That when Archbishops, Bishops, or other Ordinaries, have given a Benefice of Right devolute to him by Lapse of Time, and after the King presenteth and taketh the Suit against the Patron, which percase will suffer that the King shall recover without Action tried, in deceit of the Ordinary, or the Possessor of the said Benefices, that in such Case, and in all other Cases like, where the King's Right is not tried, the Archbishop or Bishop, Ordinary or Possessor, shall be received to counterplead the Title taken for the King, and to have his Answer, and to shew and defend his Right upon the Matter, although that he claim nothing in the Patronage in the Case aforesaid.

VIII. Cognisance of Avoidance of Benefices declared to appertain to the Ecclesiastical Judge.

ITEM, Whereas the said Prelates have shewed and prayed Remedy, for that the secular Justices do accroch to them Cognisance of Voidance of Benefices of Right, which Cognisance and the discussing thereof pertaineth to the Judges of Holy Church, and not to the Lay Judge; The King will and granteth, That the said Justices shall from henceforth receive such Challenges made or to be made by any Prelate of Holy Church in this Behalf, and moreover thereof shall do Right and Reason.

IX. Indictments of Ordinaries for Extortion must be certain.

ITEM, Because that the King's Justices do take Indictments of Ordinaries, and of their Ministers, of Extortions and Oppressions, and impeach them, without putting in certain, wherein or whereof, or in what Manner they have done Extortion; The King will, That his Justices shall not from henceforth impeach the Ordinaries, nor their Ministers, because of such Indictments of general Extortions or Oppressions, unless they say, and put in certain, in what Thing, and of what, and in what Manner the said Ordinaries or their Ministers have done Extortions or Oppressions.

[1] *to defend themselves, and to counterplead the King's Right so claimed,*

[2] Omit these Words.

Item coment q̃ clercs, aresnez de felonie devant Justices seculers q̃ chalengeient leur clergie & feurent demandez p le Ordinaire del lieu, eient este ascuns avant ces heures remandez a la gaole p les ditz Justices, s'mettant a eux q̃ hõme ad autre chose a dire devs eux; nientmeins p' ce q̃ cõe lei est q̃ clerc en tiel cas ne doit estre remande a la gaole, mes doit meintenant estre arenee de tout, ou autrement delivres al Ordinarie; Acorde est q̃ cest point soit garde p toutes mañes des Justices & Jugges seculers p toute nre roialme.

Item p' ce q̃ les temporaltees des Ercevesqes & Evesqes ount este sovent foitz pris en la main le Roi, p' contempt fait a lui s' le brief Quare non admisit, & ensement p plusures aut's causes, dount les ditz Prelatz ount priez au Roi q̃ nule tiele prise se face desore, desicome ils sont Peires de la tre; si voet le Roi & g'nt, en meisme ceste dit plement, q̃ touz les Justices q̃ rendront desore les juggementz contre nul Prelat de la tre, en tieu cas ou semblable, qils en tieu cas pussent franchement receivre & desore receivent p' le contempt ensi ajugge fyn resonable de la ptie ency condempnee, solonc la quantite du tspas & solonc la qualite du contempt, meintenant au temps de juggement, si la ptie loffre, ou autrement aps le juggement a quelle heure q̃ la ptie le voet offrer, et sil busoigne, le Chanceller & Tresorer soient a la receite de dit fyn appellez.

Item p'ce q̃ plusurs psentementz as divses benefices de seinte eglise sibien de pronage de laies gentz come de gentz de seinte eglise, qestoient voides p sys mois, dount les collacions de tieux benefices p laps de temps estoient devolutz & de droit app'tenantes a les Ordinaries des lieux, estoient recoviz p le Roi, p juggement ent rendu de lassent des ditz patrons, en deceit de les collacions ensi faites resonablement p les ditz Ordinaries, en queux plees, a eux defendre & contrepleder le droit le Roi ensi clamee, les Ordinaries ne lours clercs as queux ils donoient tieux benefices, nestoient receuz a monstrer ou defendre lour droit en celle ptie, la quele chose nestoit mie resonable; p quoi le Roi, de lassent de son dit plement, voet & g'nt p' lui & p' ses heirs, q̃ q'nt Ercevesq., Evesq., ou autre Ordinarie ad done un benefice de droit a lui devolut p laps de temps, & aps le Roi psente & pigne sa seute devs lun patron, qi p cas voet soefrir q̃ le Roi recov saunz accion trie, en deceit de Lordinair, ou le possessour des ditz benefices, q̃ en tieu cas & en toutes aut's cases semblables ou le droit le Roi nest pas trie, Lercevesq., Evesq., Ordinar, ou le possessour soient receuz a contrepleder le title pris p' le Roi, & davoir son respons & a monstrer & defendre son droit s' la matire, tout soit il q̃ il riens cleime el pronage en cas susdit.

Item come les ditz Prelatz eient monstrez & priez remedie s' ce, q̃ les Justices seculers acrochent a eux conissance de voidance des benefices de droit, quelle conissance & discussion attient a Jugge de seinte eglise, & nient a lai Jugge; si voet le Roi & g'nte q̃ les dites Justices desore receivent tieles chalenges faites ou affaire p q̃cumq̃s Prelatz de seinte eglise, en celle ptie, & outre ent facent droit & reson.

Item p'ce q̃ les Justices le Roi pnent enditementz des Ordinaries & de lours Ministres, de extorsions & opp'ssions, & les empeschent saunz ce qils mettent en ctein en quoi ou de qi ou en quelle mañe ils ount fait extorsion, si voet le Roi q̃ les Justices le Roi ne empeschent desore les Ordinaries ne lour Ministres p cause de tieux enditementz des genals extorsions ou opp'ssions, sils ne mettent ou dient en ctein en quelle chose & de qi & en quelle mañe les ditz Ordinaries ou lours Ministres ount fait extorsions ou opp'ssions.

Statutum de Forma levationis Decime-quinte.

The STATUTE of the Form of levying of the Fifteenth.*

Ex' MS. Cott. Nero. C. I. fo. 66.

COME nr̃e ſ' le Roi Prelatz [Ducs[1]] Countz Barouns & auꝛs [graundz[2]] assemblez en cest ꝑse' plement tenuz a Westm̃ en la feste de seint Hillar̃ lan de nr̃e ſ' le Roy Dengl xxv^e. & de Fraunce xij^e. eient g^auntez as les Cões du Roiat Dengl en eide de x^e. & xv^e. queux les ditz Cões ount g^auntez a nr̃e ſ' le Roi, p' lesploit de sa guerre de Fraunce & defence de son Roiat Dengl, p' trois ans ꝑscheinz ensuantz, toutz les fyns issuez forfaitz amꝛciam̃tz & to^tz auꝛs ꝑfitz, q̃ soũt ou ꝛoũt levez ou p's des laborers artificꝛs regratiers vitaill hostillers & to^tz maꝛle dez ovꝛours & dez ꝛv^ntz en to^tz pointz, co^e pleneм̃t est contenuz en lestat' ent fait au darreign pleм̃t tenuz a Westm̃ as lez Oeptavez de la Chaundeleure lan suisdit, de la feste de Pasq, darreigne passe tanq, au darreigne ꝛme du paieм̃t dez disme & xv^e. av^ntditz: Et ovesq, ceo si riens soit aderere dez ditz fins & amꝛciam̃tz & auꝛs ꝑfitz suisditz de la fesance du dit estat', q̃ nest mye paiez a lez Cões en eide de lour disme & xv^e. currant devaunt sez hoeurez, [ou des sõmez[3]] dez queux le Roy nest mye respondue, adonq̃s eient lez ditz Cões ceo q̃ est issint aderere en eide de lour x^e. & xv^e. trienalx a ceo [pleneм̃t[4]] g^auntez: les ditz Cões prie' a nr̃e ſ' le Roi & as les g^aundz, q̃ Cõmissions dez laborers soient faitz as ☆teinz gentz en ch̃une Countee nõmez p les ditz Cões en mesme le pleм̃t, denquere & de fair droit solonq, lestat' av^ntdit: Et q̃ mesmez lez Justic̃ ꝑigne' gagez resonablez, ch̃une solonq, son estate, dez issuez & ꝑfitz sourdantz a lour Sessions; & q̃ lez Justic̃ facent deliv̄er lour extretz as Coillo's dez ditz x^e. & xv^e. es Countees ou ils ꝛoũt p endentur. Et q̃ lez estretz ent liv̄ez en leschequer soie' liv̄ez as ditz Justic̃, q̃ lez facent liv̄er hors de lour garde as ditz Coillo's; & mesmez lez Justic̃ av^nt lour levez en ch̃une [Countee[5]] facent affirer lez amꝛciam̃tz co^e appent, et qu^nt ils ꝛoũt [issint affaire[6]] soie' toutz les estretz & to^tz les ꝑfitz de lour Session a la fyn de ch̃une Session mys en ☆tein sõme en la ꝑsence des ditz Justic̃ & coillo's & des Ch̃rs & ꝛjantz de meuz vauez de paiis, & soit aporc̃one mesme la sõme p ꝛeme' dez bonez & loialx Ch̃rs & auꝛs; de ch̃une Hundr̃ soie' ☆teins gentz eslieux dev^nt mesmez lez Justic̃ tantz come busoigн̃a jurrez a monstrer & a dire, de ch̃une ville del Hundr̃ & de ch̃une (7) la gast meschief & empov̄isseм̃t dicelł, sit̃n deinz f·unchisez come dehors, saunz celler ou favour fair a nulluy, & soit la sõme, q^unt ele ꝛra mys issint en ☆tein, au fyn de ch̃une Sessiõn apporc̃one entre lez villez av^ntditz & hamelx, p ladvys dez ditz Justic̃ & p le ꝛement dez ditz Coillours & auꝛs suisnõmez solonq, lestate des ditz villez Hamell & lour meschiefs, & solonq, ceo q̃ lour necc'ie ☆de; issint q̃ a ch̃une ville & hamel soit allowe sa porc̃õn, & mys en ☆tein, & la cause dicelle, dev^nt les ditz Justic̃, mys en lour record; & recoupe en ꝑtie de paieм̃t del auncien taxe dez ditz vill & hamell; & qe le remen^nt du

[1] *Printed Copies* omit. [2] gentz [3] en somonce
[4] perlement [5] Session [6] afferez
[7] hamell

Statute the Seventh.

In what Manner the Fines respecting Labourers shall be applied in Aid of the Subsidy.

WHEREAS Our Sovereign Lord the King, the Prelates, (1) Earls, Barons, and other [People,[2]] assembled at his Parliament holden at Westminster in the Feast of Saint Hilary, the Year of the Reign of our said Sovereign Lord the King, of England the xxv. and of France the xij. [hath[3]] granted to the Commons of the Realm of England, in Aid of the Disme and Quinzime, which the said Commons have granted to our Sovereign Lord the King, for the Speed of his Wars of France, and Defence of his Realm of England, for three Years next ensuing, all the Fines, Issues, Forfeits, Amerciaments, and all other Profits which be or shall be levied or taken of Labourers, Artificers, Regratours, Vitailers, Hostlers, and all Manner of Workmen, and of Servants, in all Points fully as is continued in the Statute thereof made at the last Parliament, holden at Westminster at the Utas of Candlemas, the Year aforesaid, from the Feast of Easter last past, till the last Term of the [Parliament[4]] of the Disme and Quinzime aforesaid: And further if any Thing be behind of the said Fines, Amerciaments and other Profits aforesaid, [of[5]] the making of the said Statute, that is not paid to the Commons in Aid of their Disme and Quinzime, running before this Time, [in Summons[6]] whereof the King is not answered, that then the said Commons shall have that that is (7) behind, in Aid of their Disme and Quinzime triennial, granted at this Parliament: And the said Commons prayeth our Sovereign Lord the King, and the Great Men, that Commissions of Labourers be made to certain People in every County, named by the said Commons in this Parliament to enquire and do Right according to the said Statute: And that the same Justices take reasonable Wages, every one after his Estate, of the Issues and Profits rising of their Sessions: And that the Justices do to be delivered their Estreats to the Collectors of the said Disme and Quinzime, in the Counties where they shall be, by Indenture. And that the Estreats thereof delivered at the Exchequer shall be delivered to the said Justices; and that they do the same to be delivered out of their Custody to the said Collectors; and the same Justices before their rising in every Sessions shall do to be affered the Amerciaments as pertaineth; and when they shall be (8) affered, all the Estreats and all the Profits of their Sessions, at the End of every Sessions shall be put in a certain Sum, in the Presence of the said Justices and Collectors, and of the Knights and Serjeants of the best of the Country; and [be it apportioned of the same Sum[9]] by the Oaths of good and lawful Knights, and other [of every Hundred in the Form as hereafter followeth; that is to say[10]] of every Hundred there shall be certain People chosen before the same Justices, as many as shall need, sworn to show and to say of every Town of the Hundred, and of every Hamlet, the Wastes, Mischiefs, and Impoverishments of the same, as well [of[11]] Franchises as without, without concealing, or favouring of any Man: And the Sum when it shall be so put in certain, shall be apportioned at the End of every Sessions, betwixt the said Towns and Hamlets, by the Advice of the said Justices, and by the Oath of the Collectors and other above named, according to the Estate of the said Towns and Hamlets, and their Mischief, and according as their Necessities demandeth; so that to every Town and Hamlet the Portion shall be allotted and put in certain, and the Cause of the same before the said Justices, and put in their Record, and recouped in part of Payment of the old Tax of the said Towns and Hamlets; and that the Remnant of

[1] *Dukes* [2] *Great Men* [3] *have* [4] *Payment*
[5] *from* [6] *or of the Sums* [7] *so* [8] *so*
[9] *the said Sum shall be apportioned* [10] Not in Original.
[11] *within*

* These Titles are from the Old Printed Copies and Translations. This Instrument is not entered on the Statute Roll. The various Readings in the Notes are from the Old Printed Copies.

the said Tax of the said Towns and Hamlets, be levied by the said Collectors, beside the Estreats delivered to them by the said Justices, according to the said apportioning and no more, upon Pain to lose the Treble to the Parties of whom the Things shall be levied, and which thereof feeleth them grieved, and to be ransomed at the King's Will; and that the said Justices have Power to hear and determine, as well at the Suit of the Party, as at the King's Suit, of the Collectors, Under Collectors, Taxers, and all other Ministers, and all other which shall do or come against the said Ordinances, and to make thereupon ready Punishment; and that all the Profits rising of such Punishments in any Manner, which shall be judged before the said Justices, of such Labourers, Workmen, and Artificers, or because of them, shall be in Aid of the Commons, for to bear the Charge of their Disme and Quinzime aforesaid; and that it be contained in the Commissions thereof made that all Ministers of Lords of Franchises, and their Bailiffs shall be attendant to the said Justices upon a grievous Pain: To which Things aforesaid, Our Sovereign Lord the King, and the Prelates, (') Earls, Barons and other Great Men, being in the said Parliament, have fully given their Assent: So always that by Occasion of any Point aforesaid, the levying nor the Payment of the said Disme and Quinzime triennial, shall in nowise be delayed at any of the Terms aforesaid.

' *Dukes*

(') taxe des ditz villez & hamelt soit levee p lez ditz Coillo's oustre les estretez liv̄ez a eux p lez ditz Justic̄, solonq̄ lapporcionement suisdit, & nient plus, sur peyne de pdre la treble as ptiez dez queux les chosez (²) & q̄ de ceo soi sentont grevez, & destre seintz a la volunte le Roi; et q̄ lez Justic̄ eient power doier & t̄mīer, sīn̄ a suite de ptie come al suit le Roi, dez Coillo's & Southcoillo's taxours & autres Ministrez q̄conq̄s, & dez toutz aut̄s q̄ ferroūt ou vendroūt count̄ lez ordeign̄ncez suisditz, & affaire s' ceo redde punisseñt; & q̄ to^s lez pfitz issantz dez tielx punisseñtz en q̄conq̄ mañe, q̄ ²roūt ajuggez dev̄nt lez ditz Justic̄, des tielx Laborers ov̄ours & artific̄s, ou p cause deux, soient en eide de la cõie, p' port̄ la charge de lour x^e. & xv^e. av̄ntditz; et q̄ contenue soit en lez Cõmissions ent faitz, q̄ toutz Ministrez des f̄'s dez f̄unchisez & de lour bailf̄ soient entendantz a lez ditz Justic̄, sur greve peyne: as queux chosez nr̄e f̄' le Roi & lez Prelatz, Ducs, Countz, [Barouns,'] & aut̄s g̈undz au dit plement̄ assemblez ount donez lour assent pleñeñt; issint toutz voiez, q̄ p cause de nulf̄ point suisdit de lever ne de paier les ditz x^es. & xv^es. triennalx ne soit pas delaie en nulf̄ mañe a nul dez t̄mez suisditz.

' dit ² ²ront levez ³ *Printed Copies* omit.

This Article for the Clergy is respited until the next Parliament.

THE KING to All to whom these Presents shall come, Greeting. Whereas in our last Parliament holden at Westminster in the Feast of Saint Hilary last past, among other Petitions and Articles exhibited in the same Parliament by the Honourable Father in God Simon Archbishop of Canterbury, for himself and his brethren the Bishops of his Province, concerning certain Grievances which they alledged to be done to Holy Church against the Privileges thereof, it was claimed on the part of the said Clergy, that all Clerks convicted of having falsified or counterfeited our Money, or our Great or Privy Seals, ought to enjoy the Privilege of Holy Church, and that the Church had been in possession of such: We, by reason that we cannot, for other great Businesses, attend to the Discussion of this Point, willing as well to preserve the Estate of Holy Church as our own, do will and grant, that this Article be put in suspense until our next Parliament, in the which the Point may be more fully discussed, and the Truth thereof tried: and that, if in the mean time any Clerk be convict of having falsified or counterfeited the Money of the Land, or either of our Seals aforesaid, he shall not for the Time be put to death by Award of the Secular Judge, but be remanded to Prison, there to remain in safe Custody without making any Deliverance to the Ordinary, until it be otherwise ordained therein.

In Witness whereof We have caused these our Letters Patents to be made. Given at Westminster the Twentieth day of February, in the Twenty-sixth year of our reign of England, and of France the Thirteenth.

*Ex magno Rot. Stat. m. 16 d.**

Articulus p Clero respectuat' usq̄ p̄x̄ pliam̄.

Le Roi a touz ceux as queux cestes t̄res vendront saluz. Come en nr̄e darrein plement, tenuz a Westm̄ en la feste de Seint Hiller darrein passe, entre aut̄s peticions & articles mises avant en meisme le plement p lon'able piere en Dieu Simon Ercevesq̄ de Cant̄birs, p' lui & ses confrers Evesques de sa pvince, des cteines grevances queles ils disoient estre faites a seinte eglise encontre les privileges dycelle, feust chalenge dep la dite clergie, q̄ q̄cumqes clercs convictz de ce q̄ ils avoient fauxe ou contrefait nr̄e monoie ou nr̄e g^nt ou privee seals, deussent enjoier privilege de seinte eglise, & q̄ leglise avoit este en possession de tieux: Nous p cause q̄ nous ne poons mie p' aut̄s grosses busoignes entendre a la discussion de ce point, voillantz auxibien sauver lestat de seinte eglise come le nr̄e, volons & g^ntons q̄ cest article soit mis en suspens, tanq̄ a nr̄e p̄schein plement; en le quel ce point p'ra plus pleinement estre discusse & la v̄ite ent trie: et q̄ si en le meen temps nul clerc soit convict, qil eit fauxe ou contrefait la monoie de la t̄re, ou ascun de noz sealx avantditz, qil ne soit p' le temps mis a la mort, p agarde de Jugge seculer, mes remys a prisone a y demorer en sauve gard, saunz nulle liv̄ance faire al Ordenair tanq̄ autrement ensoit ordene. En tesmoignance de quelle chose nous avoms fait faire cestes noz t̄res patentes. Don̄ a Westm̄ le xx. jour de Fev̄er, lan de nr̄e regne Dengleť̄re vintisme sisme & de France t̄szisme.

* This Article is not inserted in any of the Old Printed Copies or Translations: It is entered on the Back of the Statute Roll, next after 'Ordinatio p Clero' which is printed as Statute the Sixth of this Year, in the preceding Pages, 324—326.

Anno 27° EDWARDI, III. A.D.1353.

Statutū contª adnullatores Judicior' Cur' Regis; f'c'm Anno xxvij.*

A STATUTE AGAINST ANNULLERS OF JUDGMENTS OF THE KING'S COURT; MADE IN THE TWENTY-SEVENTH YEAR.

Ex magno Rot. Stat. in Turr. Lond. m. 15.

Nr̃e Seign' le Roi, de lassent & a la priere des Grauntz & de la cõe de son Roialme Dengleṫre, a son gªnt conseil tenuz a Westmonster le Lundy ꝑschein aꝑs la feste de Seint Matheu Lapostle, lan de son regne, cest assavoir Dengleṫre vintseptisme & de Fªnce quatorzisme, en amendement de son dit roialme, & p' les leis & usages de son dit roialme meintenir, si ad ordene & establi les choses souzescriptes.

Primement, p'ce q̃ monstree est a nr̃e dit Seign' le Roi, ꝑ grevous & clamous pleintes des Grantz & cões avantditz, coment plusours gentz sont & ount este traites hors du roialme, a respondre des choses dount la conissance apptient a la Court nr̃e Seign' le Roi; & aussint q̃ les juggementz, renduz en meisme la Court, sont empeschez en autri Court, en ꝑjudice & deshitson nr̃e Seign' le Roi & de sa corone, & de tout le poeple de son dit roialme, & en defesance & anientissement de la cõe lei de meisme le roialme usee de tout temps: S' quoi eue bone deliberacion od les gªntz & aurs du dit conseil, assentu est & acorde, ꝑ nr̃e dit Seign' le Roi & les gªntz & cões susditz, q̃ totes gentz de la ligeance le Roi, de quele condicion qils soient, qi trehent nulli hors du Roialme, en plee dount la conissance apptient a la Court le Roi, ou des choses dount juggementz sont renduz en la Court le Roi, ou qi suent en autri Court a deffaire ou empescher les juggementz renduz en la Court le Roi, eient jour contenant lespace de deux mois, ꝑ garnissement affaire a eux en le lieu ou les possessions sont qi sont en debat, ou aillours ou ils avont ẏres ou aurs possessions, ꝑ le viscont ou autre ministre du Roi, destre devant le Roi & son conseil, ou en sa Chancellerie, ou devant les Justices le Roi en ses places del un Baunk ou del autre, ou devant aurs Justices le Roi qi ẏront a ce deputez, a respondre [en lo' ꝑpre ꝑsones[1]] au Roi du contempt fait en celle ptie; et sils ne veignent mie au dit jour [en ꝑpre ꝑsone[2]] de esteer a la lei, soient ils, lour ꝑcuratours, attournez, executours, Notairs & meintenours, de cel jour enavant mis hors de la ꝑteccion le Roi, & lour ẏres, biens & chateux forfaitz au Roi, & soient lour corps ou qils soient trovez, pris & emprisonez & reintz a la volunte le Roi; et sr̃ ce soit brief fait de les ꝑndre ꝑ lour corps, et de seisir lour ẏres, biens & possessions en la main le Roi; et si retourne soit quils ne sont mie trovez, soient mis en exigend & utlaghez. Purveu totes foitz q̃ a quele heure qils viegnent devant qils soient utlaghez, & se veullent rendre a la prisone le Roi, destre justicez ꝑ la lei & receivre ce q̃ la Court le Roi agardera en celle ptie, qils soient a ce receuz; la forfaiṫe des ẏres, biens & chateux, demorante en sa force, sils ne se rendent deinz les ditz deux mois come devant est dit.

[1] [2] Interlined on the Roll.

STATUTE THE FIRST.

OUR Lord the King, by the Assent and (1) Prayer of the Great Men, and the Commons of his Realm of England, at his great Council holden at Westminster, the Monday next after the Feast of St. Matthew the Apostle, the Twenty-seventh Year of his Reign of England, and of France the Fourteenth, in Amendment of his said Realm, and Maintenance of the Laws and Usages (2) hath ordained and established these Things underwritten.

1. FIRST, Because it is shewed to our Lord the King, by the grievous and clamorous Complaints of the Great Men and Commons aforesaid, how that divers of the People be, and have been drawn out of the Realm to answer of Things, whereof the Cognisance pertaineth to the King's Court; and also that the Judgements given in the same Court be impeached in [another Court,[3]] in Prejudice and Disherison of our Lord the King, and of his Crown, and of all the People of his said Realm, and to the undoing and Destruction of the Common Law of the same Realm at all Times used: Whereupon, good Deliberation had with the Great Men and other of his said Council, It is assented and accorded by our Lord the King, and the Great Men and Commons aforesaid, That all the People of the King's Ligeance of what Condition that they be, which shall draw any out of the Realm in Plea, whereof the Cognisance pertaineth to the King's Court, or of Things whereof Judgements be given in the King's Court, or which do sue in [any other Court,[4]] to defeat or impeach the Judgements given in the King's Court, shall have a Day containing the Space of Two Months, by Warning to be made to them in the Place where the Possessions be, which be in Debate, or otherwise where they have Lands or other Possessions, by the Sheriffs or other the King's Ministers, to appear before the King and his Council, or in his Chancery, or before the King's Justices in his Places of the one Bench or the other, or before other the King's Justices which to the same shall be deputed, to answer in their proper Persons to the King, of the Contempt done in this Behalf; and if they come not at the said Day in their proper Person to be at the Law, they, their Procurators, Attornies, Executors, Notaries, and Maintainors, shall from that Day forth be put out of the King's Protection, and their Lands, Goods, and Chattels forfeit to the King, and their Bodies, wheresoever they may be found, shall be taken and imprisoned, and ransomed at the King's Will: And upon the same a Writ shall be made to take them by their Bodies, and to seize their Lands, Goods, and Possessions into the King's Hands; and if it be returned that they be not found, they shall be put in Exigent, and outlawed.

All Subjects suing in a Foreign Court for Matters cognizable in the King's Court, or questioning elsewhere the Judgements of the King's Court, shall have Two Months' warning to answer for such Contempt.

On Non-appearance they shall be outlawed, forfeit their Lands and Goods, and be imprisoned.

Provided always, That at what Time they come before they be outlawed, and will yield them to the King's Prison to be justified by the Law, and to receive that which the Court shall award in this Behalf, that they shall be thereto received; the Forfeiture of the Lands, Goods, and Chattels abiding in their Force, if they do not yield them within the said Two Months, as afore is said.

Offenders coming in before Outlawry, shall be received.

[1] *at the* [2] *of his said Realm* [3] [4] *the Court of another*

* This Title is in the Margin of the Entry on the Statute Roll. In the Printed Copies and Translations the Statute is intituled 'Statutum de Provisoribus Ecclesiasticorum.' 'A Statute of Provisors.'

II. In a Pardon of Felony the Suggestions and Suggestor's Name shall be comprised.

ITEM, Because our Lord the King hath often granted Charters of Pardon of Felonies upon feigned and untrue Suggestions of divers People, whereof much Evil hath chanced in Times past, and for to eschue such Evil, It is accorded and assented by our said Lord the King, and all the said Council, That from henceforth in every Charter of Pardon of Felony, which shall be granted at any Man's Suggestion, the said Suggestion, and the Name of him that maketh the Suggestion, shall be comprised in the same Charter; and if after, the same Suggestion be found untrue, the Charter shall be disallowed and holden for none: And the Justices before whom such Charters shall be alledged, shall enquire of the same Suggestion, and that as well of Charters granted before this Time, as of Charters which shall be granted in Time to come; and if they find them untrue, then they shall disallow the Charters so alledged, and shall moreover do as the Law demandeth.

III. Commissions to enquire of Offenders against *Stat.* 23 *Edw. III.* c. 6.

ITEM, For the great and outrageous Dearth of Victuals, which Hostlers [Herbingers,[1]] and other Regrators of Victuals make through the Realm, to the great Damage of the People passing through the Realm: It is accorded and established, That [the Justices[2]] learned in the Law, which be good and convenient, shall be newly chosen to enquire of the Deeds and Outrages of such Hostlers, Regrators, Labourers, and all other comprised in the Statute another Time thereof made, and them to punish, and moreover to do right to the King and his People: Saving always to every Lord and other, their Franchises in all Points.

IV The Mischief resulting from forfeiture of Cloths not measuring the Assize:

ITEM, Whereas the Great Men and Commons have shewed to our Lord the King, how divers Merchants, as well Foreigners as Denizens, have withdrawn them, and yet do withdraw them to come with Cloths into England, to the great Damage of the King and of all his People, because that the King's Aulneger surmiseth to Merchant Strangers, that their Cloths be not of Assise, that is to say, The coloured Cloth of the Length of Six and twenty Yards measured by the [Crest,[3]] and of the Breadth of Six Quarters and an Half; and the Cloth of Ray, of the Length of Eight and twenty Yards measured by the List, and of the Breadth of Six Quarters, and [whereas the same have been arrested[4]] as forfeit to our Lord the King; ([5]) they have prayed our said Lord the King, that it may please him to release and put out such Forfeitures in Ease of his People, for a convenient Recompence to be made to him [of the other Party;[6]] Our Lord the King, upon such Condition hearing their Supplication, hath released and [excluded him of[7]] all the said Forfeitures, and he willeth and granteth for him and for his Heirs, that there shall be no Cloths forfeit, although they be not of the same Assise; but the King's Aulneger shall measure the Cloth, and mark the same, by which Mark a Man may know how much the Cloth containeth; and of as much as the Cloth which is bought for Cloth of Assise, shall be found less than the Assise, Allowance or Abatement shall be made to the Buyer in the Payment which he shall make for the same Cloth, after the Quantity of the Price for which the Cloth was bought; And the Aulneger shall take for every Cloth so measured, which is of Assise, that is to say, of the Seller an Halfpenny, and of Half a Cloth a Farthing, for his Office, and no more; nor they shall take nothing of the Cloths which be less than [of the Half Cloth;[8]] and that he nothing meddle of the Aulnage of any Cloth, but only of Cloths which are to be sold: And for so much the said Lords and Commons have granted to the King a Subsidy of every Cloth which is to be sold, to take of the Seller over the Customs thereof due, that is to say; Of every Cloth of the said Assise, wherein there is no Grain, iv. d. and of every Half such Cloth, ii. d. and of every Cloth of Assise of Scarlet, vi. d. and of every Half such Cloth, iii d. and of every Cloth Half Grain of Assise, v. d. and of every Half such Cloth ii d. ob. And that ([9]) every Cloth passing the Half Cloth of Assise by Three Yards and more, which is no Cloth whole of Assise, and also of every Cloth passing the

The King's Release of such Forfeitures.

Cloths under the Assise shall be allowed for in Price.

Aulneger's Fee for every Cloth and half Cloth sold.

A Subsidy granted to the King of every Cloth.

[1] *of Inns* [2] Justices *MS. Tr.* 2. [3] Crest or back *MS. Tr.* 2.
[4] *arresteth the same* [5] and *MS. Tr.* 2.
[6] *on the other part;* [7] *wholly put out*
[8] *a Half-Cloth;* [9] of *MS. Tr.* 2.

Aussint p'ce q̃ nr̃e Seignour le Roi ad sovent g̃ntee chartres de p̃don de felonies, p feintes & nient v̈itables suggestions de pluseurs gentz, dount pluseurs malx sont avenuz cea en arere, & p' tieux malx eschuir, si est acorde & assentu, p nr̃e dit Seign' le Roi & tout le dit conseil, q̃ desore en chescun chartre de p̃don de felonie, q̃ s̈ra g̃nte a suggestion de nully, soit la dite suggestion, & le noun de celui qi fist la suggestion, compris en meisme la chartre; et si ap̈s soit trove la suggestion nient v̈itable soit la chartre desalowe, & tenue p' nulle: & enquergent les Justices, devant queux tieux chartres sont alleggez, de meisme la suggestion, & ce aussibien des chartres avant ces heures grantez, come dez chartres q̃ s̈ront g̃ntez en temps avenir; et sils la troessent nient v̈raie, adonqes desalowent la chartre issint aleggee, & enfacent outre ce q̃ la lei demand.

Ensement p' les g̃ntz & outraieouses chiertees des vitailles, q̃ les hostelers des herb̈gies & au̇s Regraters de vitailles fount p tout le Roialme, a g̃nt damage du poeple qi passe p̈mie le roialme, Acorde est & estabi, q̃ Justices sachantz de lei, qi soient bones & covenables, soient de novel eslutz denquere des faitz & des outrages de tieux hostelers, Regraters, laborers, & touz au̇s compris en lestatut autrefoitz ent fait, & de les punir, & outre faire droit au Roi & au poeple: Sauvant totesfoitz a chescun Seign' & au̇s leur franchises en toutz pointz.

Aussint p'ce q̃ les Grantz & Cões ount monstree a nr̃e Seign' le Roi, coment pluseurs marchantz sibien foreins come denzeins, se ount retraitz, & uncore se retreent de venir od draps en le roialme Dengleṫre, a g̃nt damage du Roi & de tout le poeple, p cause q̃ launeour le Roi s'mette as Marchantz estranges q̃ leur draps ne sont mie dassise, cest assavoir le drap de colour de la longure de vint & sis aunes mesuree p le dos, & de la laeure de sys quarters & dï, & le drap̃ de raie de la longure de vint & oet aunes mesuree p la liste, & de la laeure de sys quarters, & les arest come forfaitz au Roi; & ount prie a nr̃e dit Seign' le Roi q̃ lui plese relesser & oster tieles forfaitures, en eese de son poeple, p' covenable recompensacion faire a lui dautre pt; nr̃e Seign' le Roi s' tiele condicion otreiant a lour supplicacion, ad relesse & oste de tout les dites forfait'es, & voet & g̃nt p' lui & p' ses heirs, q̃ mes ne soient nul draps forfaitz, tout ne soient ils de lassise avantdite; mes q̃ launeour le Roi face auner les draps, & les m̈cher p quele m̈che hõme purra conoistre combien le drap̃ contient; et de tant come s̈ra trove le drap̃ q̃ est achate p' drap̃ dassise, estre meinz q̃ dassise, soit allowance ou rebatement fait a lachatour en le paiement qil ferra p' meisme le drap̃, solonc la quantite du pris p' quel le drap̃ feust achate; et q̃ launeour p̈igne p' chescun drap̃ issint aunee qest dassise, cest assavoir du vendour un maill & de dï drap̃ un ferthyng, p' son office, & nient plus; ne qil ne p̈igne rien de drap̃ q̃ est meinz q̃ dï drap̃, et qil ne se melle rien de launage de nuls draps, fors soulement de draps q̃ sont a vendre: et p tant les ditz Seign's & Cões ount g̃nte au Roi un subsid de chescun drap̃ qest a vendre, a p̈ndre du vendour, outre les custumes ent dues, Cest assavoir; de chescun drap̃ du dite assise, en quele ni ad point de graine, iiij d. & de dï tieu drap̃ ij d. de chescun drap̃ de scarlet dassise vj d. & de dï tieu drap̃ iij d. & de chescun drap̃ dassise de dï graine cinq deniers, & de dï tieu drap̃, ij. d. ob. et q̃ de chescun drap̃ passant dï drap̃ dassise p trois aunes & plus, q̃ nest mie drap̃ entiere dassise, & aussint de chescun drap̃ passant

Hic de remissione forisfc̈ure ulnagii.

draps entiere p trois aunes & plus, soit pris solonc lafferant du subsid qest a paier p^r le drap entiere de meisme la sorte, issint totesfoitz q̃ de nul drap q̃ ne contient pas dī drap, ne de draps queux hōme fait a son oeps demesne p^r vestir lui & sa meisnee, ne de draps ensealez du seal du Coillour du dit subsid, des queux meisme le Subsid est unefoitz paie p le vendour, a qi mains q̃ tieux draps deviegnent apres, a vendre ou en autre manᵉe, rien du dit subside soit paie ne demande: et q̃ tote manᵉe de draps q̃ sont mis a vente, avant qils soient ensealez du dit seal, soient forfaitz au Roi, & pris en sa main p le dit coillour ou auneour, ou p le depute de lun de eux, ou autrement p Bailiffs de la ville ou tiel drap vendable nient enseale ꝑra trove.

Ensement acorde est & assentu, q̃ defens & pclamacion soient faites q̃ nul Marchant Engleis nengrosse ne forstalle vins en Gascoigne, ne les ꝑigne p voie dacate, de nul Gascon ne dautre, p^r paier en Engletre p^r plus g^nt sūme q̃ vins ne sont cōement venduz en Gascoigne, p cause dapꝑst [ou '] pil de meer, ou p^r nul autre colour, s^r peine de vie & de membre, & de forfait'e des ditz vins & de touz lour autꝛs biens & chateux devꝛs le Roi, & de forfait'e de leur ꝑres et teñz devꝛs les chiefs Seign^rs; & eient les chief Seign^rs brief deschete en le cas.

Aussint est ordene & establi, q̃ touz Marchantz Gascons & autꝛs estranges pussent amesner sauvement leur vins en Engletre, a queu port q̃ lour plerra, & faire ent lour ꝑfit; Issint totes foitz q̃ le Botiller le Roi p^rra faire la p^rveance [le Roi [2]] de vins des aliens q^nt bosoigne ꝑra, fesant paiement p^r meismes les vins deinz xl. jours, en manᵉe come ad este usee dauncien temps.

Ensement acorde est & assentu, q̃ nul Marchant Engleis, ne nul de ses ꝑvantz ou autꝛs de p eux, naille en Gascoigne a demorer illoeqes, nautre neit illoeqes demorant, p^r faire bargaine ou achate de vins p q̃conq colour, devant le temps de vendenge ou de [reik,'] cest assavoir avant q̃ cōe passage se face p^r quere vins illoeqes; et q̃ nul nachate ne ne bargaine p lui ne p autre vins, fors soulement en les ports de Burdeux & de Baioñ, s^r les peines & forfait'es ꝑscheinement avantdites: et si nul soit trove illoeqes fesant au contraire, soit pris & arestu, p le Seneschal de Gascoigne ou le Conestable de Burdeux, & le corps maunde en Engletre a la Tour de Londres: et q̃ meisme le Seneschal ou Conestable ctifie au Roi en sa Chancellerie des nouns de tieux arestuz, & de lour meisꝛs & compaignons ensemblement od tout le fait.

Aussint ordene est & establi q̃ tous vins ꝑmeilles & blaunes, q̃ vendront en le dit Roialme & en les ꝑres de Gales & Dirland a vendre, soient bien & loialment gaugez p le Gaugeour le Roi ou ꝺon depute: et si nul mette destourbance ou debate, & ne voet mie soefrir ses vins estre gaugez, qil forface les ditz vins & soit puni p emprisonement & reint a la volunte le Roi: et si defaute soit trove en le Gaugeour, q̃ il ou son depute ne soit mie ꝑst de faire son office q^nt il ꝑra requis, ou face fraude ou deceit en fesant son office, au damage de lachatour ou de le vendour, paie a la ptie endamagee ses damages au treble, & pde son office & soit puni p emprisonement & reint a la volunte le Roi. Et en cas q̃ meinz soit trove en le tonel ou pipe, q̃ ne deust estre de droit solonc lassise du tonel, soit allowe & recope en le paiement la value de ce q̃ faudra de tieu tonel ou pipe.

[1] en *Printed Copies.* [2] *Printed Copies* omit.
[3] reikes *Printed Copies.*

whole Cloth by Three Yards and more, shall be taken after the Rate [or [1]] Subsidy which is to be paid for the whole Cloth of the same Sort; so always, that of no Cloth which containeth not Half a Cloth, nor of Cloths which a Man maketh for his own Use to clothe him and his Meiny, nor of Cloth sealed with the Seal of the Collector of the said Subsidy, of which the same Subsidy was once paid by the Seller, to whose Hands [that [2]] such Cloths shall come after to sell, or in any Manner, nothing of the said Subsidy shall be paid and demanded: And that such Manner of Cloths which be put to Sale before that they be sealed with the said Seal, shall be forfeit to the King, and taken into his Hands by the said Collector or Aulneger, or by the Deputy of One of them, or else by the Bailiffs of the Town where such vendible Cloths not sealed shall be found.

Cloths put to Sale not sealed shall be forfeited.

V. Felony to forestall or ingross Gascoin Wine.

ITEM, It is assented and accorded, that Defence and Proclamation shall be made, that no English Merchant shall engross nor forestall Wines in Gascoin, nor take them by way of buying of any Gascoin, nor of other, for to pay in England, for any greater Sum than Wines be commonly sold in Gascoin, because of the [Prest, in [3]] Peril of the Sea, or by any other Colour, upon Pain of Life and Member, and of Forfeiture of the Wines and of all their other Goods and Chattels to the King, and of Forfeiture of all their Lands and Tenements to the Chief Lords; and the Chief Lords shall have a Writ of Escheat in such Case.

VI. Merchants may bring their Wines to English Ports.

ITEM, ([4]) That all Merchants, Gascoins, and other Strangers may safely bring their Wines into England, to what Port that shall please them, and make thereof their Profits; so always that the King's Butler may make Purveyance of Wines of Aliens when need shall be, making Payment for the same Wines within Forty Days, in the Manner as hath been used in old Time.

VII. When and where Gascoin Wines may be bought.

ITEM, ([5]) That no English Merchant, nor any of his Servants, nor other for them, shall go into Gascoin there to abide, nor shall have any other there dwelling, to make Bargain or buying of Wines by any colour before the Time of the Vintage, ([6]) that is to say, before that common Passage be made to seek Wines there; and that none buy nor bargain by himself nor by other, any Wines, but only in the Ports of Burdeaux and Bayon; upon the Pains and Forfeitures next aforesaid: And if any be there found doing against the same, he shall be taken and arrested by the Steward of Gascoin, or the Constable of Burdeaux, and his Body sent into England to the Tower of London: And that the same Steward or Constable certify the King in his Chancery of the Names of such arrested, and of their Masters and Fellows also with all the Deed.

VIII. All Wines to be gauged.

Punishment for Disturbance;

of Gauger for Neglect or Fraud.

ITEM, It is accorded and established, That all Wines Red and White, which shall come into the said Realm, and into the Land of Wales and Ireland, to sell, shall be well and lawfully gauged by the King's Gaugers, or their Deputies: And if any do set Disturbance or Debate, and will not suffer the same to be gauged, he shall forfeit the said Wines, and shall be punished by Imprisonment, and ransomed at the King's Will: And if Default be found in the Gauger, that he or his Deputy be not ready to do his Office when he shall be required, or that he do Fraud or Deceit in doing his Office, to the Damage of the Buyer or of the Seller, he shall pay to the Party grieved his Treble Damages, and lose his Office, and be punished by Imprisonment, and ransomed at the King's Will. And in case that less be found in the Tun or Pipe, than ought to be of Right after the Assise of the Tun, the Value of as much as shall lack of such Tun or Pipe shall be allowed and deducted in the Payment.

Abatement of Price on defect of Quantity.

[1] of the [2] *soever*
[3] { apprest or loane, in *MS. Tr.* 2.
[4] { *Outfit, or*
it is ordained and established
[5] *it is accorded and assented* [6] *or the Rark Vintage.*

Ordinatio Stapularum.*

The ORDINANCE of the STAPLES.

Statute the Second.

EDWARD by the Grace of God [&c.[1]] To [2] our Sheriffs, Mayors, Bailiffs, Ministers, and other our Faithful People to whom these present Letters shall come Greeting: Whereas, good Deliberation had with the Prelates, Dukes, Earls, Barons and [Great Men[3]] of the Counties, that is to say of every County, one for all the County, and of the Commons of Cities and Boroughs of our Realm of England, summoned to our Great Council, holden at Westminster the Monday next after the Feast of Saint Matthew the Apostle, the Seven-and-twentieth Year of our Reign of England, and of France the Fourteenth, for the Damage which hath notoriously come as well to Us and to the Great Men, as to our People of our Realm of England, and of our Lands of Wales and Ireland, because that the Staple of Wools, Leather, and Woolfels of our said Realm and Lands have been holden out of our said Realm and Lands, and also for the great Profits which should come to the said Realm and Lands if the Staple were holden within the same, and not elsewhere; to the Honour of God, and in Relief of our Realm and Lands aforesaid, and for to eschew the Perils that may happen of the contrary in Time to come, by the Counsel and Common Assent of the said Prelates, Dukes, Earls and Barons, Knights and Commons aforesaid, We have ordained and stablished the Things underwritten [4]:

I. At what Towns the Staple of Wool, Leather, Fells, and Lead, for England, Wales, and Ireland, shall be holden.

FIRST, That the Staple of Wools, Leather, Woolfels, and Lead, growing or coming forth within our said Realm and Lands, shall be perpetually holden at the Places underwritten; that is to say, for England at Newcastle upon Tine, York, Lincoln, Norwich, Westminster, Canterbury, Chichester, Winchester, Exeter and Bristow; for Wales, at Kaermerdyn; and for Ireland at [Devylin,[5]] Waterford, Cork and Droghda, and not elsewhere: And that all the said Wools, as well old as new, Woolfels, Leather and Lead, which shall be carried out of the said Realm and Lands, shall be first brought to the said Staples, and there the said Wool and Lead, betwixt Merchant and Merchant, or Merchant and others, shall be lawfully weighed by the Standard; and that every Sack and Sarpler of the same Wools so weighed, be sealed under the Seal of the Mayor of the Staple; and that all the Wools so weighed and sealed at the Staple of York, Lincoln, Norwich, Westminster, Canterbury and Winchester, and also Leather, Woolfels, and Lead which shall come there, the Customs of

To what Ports they shall be conveyed.

[1] *King of England and of France, and Lord of Ireland,*

[2] all [3] *Knights* [4] *that is to say* [5] *Dublin*

Ex Rotulo Stapule; in Turr. Lond: de anno r. R. E. t'cii vicesimo septimo. m. 22.

[L]E Roi[1] a toutz noz Viscontz, Meirs, Baillifs, Ministres, & auꝛs noz foialx as queux cestes ꝑsentes ires vendront, Salutz. Pur ce q̃ eue bone delibacion od Prelatz, Ducs, Contes, Barons, & Chivalers des Countees, cest asavoir de chescun Counte, un, pr tout le Counte, & des Cões de Citees & Burghs de nre roialme Dengleꝛre, somons a nre gnt conseil tenuz a Westmonster le Lundy ꝑschein apꝛs la feste de Seint Matheu lapostle lan de nre regne Dengleꝛre vintseptisme & de France quatorzisme, sr les damages q̃ sont notoirement avenuz sibien a noꝰ & a les Grantz, come a nre poeple de nre roialme Dengleꝛre, & de noz ꝛres de Gales & Dirland, ꝑ cause q̃ lestaple de laines quirs & peux lanutz de noz ditz roialme & ꝛres ad este tenue hors de meismes noz roialme & ꝛres, & aussint sr les gntz ꝑfitz q̃ avendroient a noz ditz Roialme & ꝛres, si lestaple feust tenue deinz ycelles & nulle pt aillours; si avons a lonour de Dieu & en relevacion de noz Roialme & ꝛres avantditz, & pr eschuir les ꝑils q̃ purront avenir du contraire en temps avenir, ꝑ conseil & cõe assent des ditz Prelatz, Ducs, Countes, Barons, Chivalers & Cões avantditz, ordene & establi les choses souzescriptes, Cest assavoir.

Pr̃ment q̃ les Estaples de laines, quirs, peux lanuz & plomb, cressantz & ꝑvenantz deinz noz roialme & ꝛres avantditz, soient tenuz ꝑpetuelement es lieux souzescriptz; Cest assavoir pr Engleꝛre, a Noef Chastel sr Tyne, Everwyk, Nicole, Norwicz, Westmonster, Canꝛbirs, Cicestre, Wyncestre, Excestre, & Bristuyt; Et pr Gales, a Kaermdin; Et pr Irlande a Dyvelyn, Waterford, Cork & Droghda, & nulle part aillours: et q̃ totes les dites laines aussibien veilles come noveles, peux lanutz, quirs & plomb qi ꝛront mesnez hors des ditz roialme & ꝛres, soient primes mesnez as dites Estaples, & illoeqes les ditz laines & plomb entre Marchant et Marchant, ou Marchant & auꝛs, loialment poisez ꝑ lestandard; & chescun Sac & Sarpler dycelles laines issint poisez, enseale souz le Seal du Meire de lestaple; et q̃ totes les laines ensi poisez & sealez a les Estaples Deꝛwik, Nicole, Norwicz, Westmonster, Canꝛbirs, & Wyncestre, & aussint quirs & peaux lanutz & plomb qi vendront illoeqes, paie

[1] Edward ꝑ la gce de Dieu, Roi Dengleꝛre, & de Fnce, & Seignr Dirland, *Rot. Ord.*

* This Title is from the Margin of the Roll of the Staple. In the Old Printed Copies and Translations, this Instrument is intituled "Statutum Stapule; The Statute of the Staple." It is not entered on the Statute Roll; but in the Tower of London there is preserved among the Parliament Rolls, a Roll of this Year intituled 'Rotul Ordinacõnũ apud Westm̃ in magno Consilio ibidem sũmonito die Lune ꝑx̃ post festũ Sci Mathei Apli fca, anno r. r. E. ꝑcii, videlt Angl vicesimo septimo & Franc quintodecimo.' On that Roll this Ordinance is entered, the Various Readings of which in the Notes are marked *Rot. Ord.* On the same Roll, after the Entry of this Ordinance, there follows the Grant of a Subsidy, with divers Petitions of the Commons, and Anſwers thereto on which Chapters 1, 2, 3, and 4 of Statute the First of this Year appear to have been framed. The Roll concludes as follows: "Item pr ceo q̃ plusours Articles tochantz lestat le Roi & cõe ꝑfit de son roialme, sont acordez & assentuz ꝑ lui, les Prelatz, Grantz, & cões de sa ꝛre a ce conseil ore tenu; prie la dite cõe, q̃ les Articles susditz soient a ꝑschein plement recitez, & entrez en roule de mesme ce plement; a tiel entent, q̃ les Ordinances & acortes faites en Conseils ne soient de recorde come sils fuissent faitz ꝑ cõe plement. * * * Il plest au Roi, q̃ totes les Ordinances faites de lestaple, soient publiez & criez en chescun Countee Dengleꝛre, & en chescun lieu ou les Estaples sont, au fyn qils soient fermement tenues; & a ꝑschein plement pr greindre fermete eles ꝛront rehercez & mys en roule du plement." A Copy of this Ordinance of the Staples was printed in Cay's Edition of the Statutes from *MS. Reg.* 19 *A. XIV.* A more correct Copy is inserted in *MS. Cott. Nero, C. I. fo* 72.—Various Readings from these Copies, and from the Old Printed Copies, are inserted in the Notes.

ent la custume de lestaple, soient tesmoignez p bille enseale du Seal du Meire de lestaple, & amesnez as portz souzescriptz, Cest assavoir; devwyk, a Hull, de Nicole, a Seint Botulf, de Norwicz, a Grant Jernemuth, de Westmonster, a Londres, de Cantbirs, a Sandewicz, & de Wyncestr, a Suthamptoñ; & illoeqes soient les dites laines & plomb autrefoitz poisez p noz Custums assignez en meismes les portz; & totes les laines & plomb q̃ ſront amesnez as portz de Noef Chastel, Cicestr, Excestr, Bristuit, Kaermdyn, Dyvelyn, Waterford, Cork & Droghda, ou les aut's Estaples sont tenuz, soient illoeqes forsq, unefoitz poisez p lestandard entre Marchant et Marchant, ou Marchant et aut's, en ꝑsence de noz Custumers illoeqes; et soit endent're faite entre le Meire de lestaple esteant en port de Meer, et noz Custums illoeqes, de totes les laines & plomb issint poisez, & aussint de quirs & peux lanutz q̃ vendront a meisme lestaple p' passer illoeqes: & meismes celles laines & plomb, & aussint quirs & peaux lanuz, custumez & cokettez, & les Custumes ent dues paiez a noz Custumers en toutz les ditz portz, cest assavoir de denzeins p' le temps qils ount passe, dī m'r du Sac de laine, dī m'r de [CCC.[1]] peaux lanutz, & une m'r du last de quirs, & daliens, x s. du Sac de laine, x s. de [CCC.[1]] peaux lanutz & xx s. du last de quirs, & iij d. de chescun vint souldee de plomb, soient adonqes les dites marchandises, p Marchantz estranges qi les avont achatez, & nounpas p Engleis, Galeis ne Irreis, amesnez as pties de dela, hors de noz ditz roialme & ſres, q̃u pt q̃ plerra as ditz Merchantz estranges: et q̃ les ditz Meire & Custums ne delaient nul home voluntrivement p' gaigne, ne p celle cause nen autre manle riens ne ꝑignent de nully, p' faire ce q̃ apptient a leur offices, s' peine demprisonement, & de paier a la ptie le double de ce qils avont ensi pris, & aussint de ce q̃ la ptie ſra endamagee p cause de tiele prise ou delaie, & outre de estre reint a nr̃e volunte, mes se tiegnent paie de ce qils ꝑndront en ctein p' lour offices faire: et q̃ le Meire de lestaple & les Custumers ꝑignent ſement de toutz Marchantz, qi ensi passeront laines, quirs, peaux lanutz & plomb, qils ne tendront nulle Estaple p dela de meismes les Marchandizes.

Qd̃ mcatores sint sub ptec̃ ℟ & celeris justicia eis fiat, & qd̃ nichil ab eis capiat' ult' antiquas custumas.

Item p' replener les ditz Roialme & ſres de monoie, & de plate dor & dargent, & de marchandises daut's ſres, & p' doner talent as Marchantz estranges de venir ove leur mces & marchandises es roialme & ſres avantditz, Si avons ordene & establi q̃ touz Marchantz estranges, qi ne sont mie de nr̃e enemite, de quele ſre ou nacion qils soient, pussent sauvement & seurement, souz nr̃e ꝑteccion & sauf conduit, venir & demorer en noz roialme & ſres avantditz, queu pt qils vorront, & dilloeqes retourner, od leur niefs, mces, & marchandises q̃conq̃s, & franchement vendre leur marchandises a les Estaples, & aillours deinz mesmes noz roialme & ſres a qi q̃ les vodra achater, paiant les custumes ent dues. Et p' plus asseurer Marchantz estranges & aut's, mesnantz biens & Marchandises es ditz Roialme & ſres, si volons & g'ntons, ordenons & establissons, pur nous, noz heirs & subgitz, q̃ riens ne soit pris outre les custumes avantdites, ne preisez a nr̃e oeps, p colo' de vente ou en autre manle, de eux contre leur volunte, ne p noz minist's ne les ministres de noz heirs, ne p les minist's de nul des roialx, Prelatz, Ducs, Contes, Barons, Seignours ne Dames, ne de nul autre petit ne g'nt: et si nul Ministre ou autre, p colour de son Office ou en autre manle, ꝑigne rien de eux contre

[1] { trois centz *Rot. Ord: MS. Reg.*

the Staple thereof paid, shall be witnessed by Bill, sealed with the Seal of the Mayor of the Staple, and brought to the Ports under-written, that is to say; from York to Hull, from Lincoln to Saint Botolf, from Norwich to Great Yarmouth, from Westminster to London, from Canterbury to Sandwich, and from Winchester to Southampton; and there the said Wools and Lead shall be another Time weighed by our Customers assigned in the same Ports; and all the Wools and Lead brought to the said Ports of Newcastle, Chichester, Exeter, Bristow, Kaermerdyn, [Devylin,[1]] Waterford, Cork and Droghda, where the other Staples be holden, shall be but once weighed by the Standard betwixt Merchant and Merchant, or Merchant and other, in Presence of our Customers there; and an Indenture shall be made betwixt the Mayor of the Staple being in the Port of the Sea, and our Customers there, of all the Wools and Lead so weighed, and also of all the Leather and Woolfels which shall come to the said Staples to pass there: and the same Wools and Lead, and also the Leather and Woolfels customed and cocketed, and the Customs thereof duly paid to our said Customers in all the said Ports, that is to say, of Denizens for the Time that they have passed, half a mark of a Sack of Wool, half a mark of Three hundred Woolfels, a mark of a Last of Leather, and of Aliens Ten Shillings of a Sack of Wool, Ten Shillings of Three hundred Woolfels, and Twenty Shillings of a Last of Leather, and Three-pence [of every Sow[2]] of Lead, then the said Merchandises shall be carried by Merchants Strangers which have bought the same, and not by Englishmen, Welshmen, nor Irishmen, to the Parts beyond the Sea out of the said Realm and Lands, to what Parts it shall please the said Merchants Strangers: And that the said Mayor and Customers shall delay no Man willingly for Gain; nor for such Cause, nor in other Manner, shall any Thing take of any Person to do that which pertaineth to their Office, upon Pain of Imprisonment, and to pay the Party the Double of that which they have so taken, and also of that which the Party shall be endamaged because of such taking or delay, and moreover be ransomed at our Will, but shall hold them content of that which they did take in certain to do their Office: And that the Mayor of the Staple and Customers take an Oath of all the Merchants which so shall pass with Wools, Leather, Woolfels and Lead, that they shall hold no Staple beyond the Sea, of the same Merchandises.

On removal of Wools, &c. an Indenture to be made between the Mayor of the Staple and the Customer of the Port.

The several Customs of Merchandizes of the Staple payable by Denizens and Aliens.

Merchants Aliens, and not the King's Subjects, shall transport beyond Sea, Wool, &c.

Every Merchant Stranger shall be sworn to hold no Staple beyond the Sea.

II. Merchants Strangers shall be under the King's Protection, and speedy justice shall be done to them, and nothing be taken of them beyond the ancient Customs.

ITEM, to replenish the said Realm and Lands with Money and Plate, ([3]) Gold and Silver, and Merchandises of other Lands, and to give Courage to Merchant Strangers to come with their Wares and Merchandises into the Realm and Lands aforesaid, We have ordained and established, That all Merchants Strangers, which be not of our Enmity, of what Land or Nation that they be, may safely and surely under our Protection and safeconduct come and dwell in our said Realm and Lands where they will, and from thence return with their Ships, Wares and all Manner of Merchandises, and freely sell their Merchandises at the Staple and elsewhere within the same Realm and Lands, to any that will buy them, paying the Customs thereof due. And more to assure the Merchants Strangers and others bringing Goods and Merchandises within the said Realm and Lands, We Will and Grant ([4]) for Us and for our Heirs and Subjects, That nothing shall be taken over the Customs aforesaid, nor taken of them to our use by Colour of Sale, nor in other Manner against their Will, nor by the Ministers of Us or of our Heirs, nor by the Ministers of any of the ([5]) Prelates, Dukes, Earls, Barons, Lords nor Ladies, nor of any other Great nor Small: And if any Minister or other, by colour of his Office or in other Manner take any Thing of them against their

Their Goods not liable to Purveyance.

[1] *Dublin* [2] of every xxs. *MS. Tr.* 2. [3] of

[4] *ordain and establish,* [5] *Royal Family,*

Agreement, he shall be incontinently arrested by the Mayors and Bailiffs of the Place, if it be out of the Staple, or by the Mayor [or ¹] Ministers of the Staple if it be within the Staple; and speedy and ready Process shall be against him from Day to Day, and from Hour to Hour, according to the Law of the Staple, and not at the Common Law, as well out of the Staple as within, at every Man's Complaint that so shall be grieved; and if he be thereof attainted, he shall pay to the Merchant the Double of that which he hath taken, and as much to Us; and that no Commission be made to take such Prises of the said Merchants; and if any Commission be made, it shall be holden [for none. ²]

III. Merchants, Native and Alien, may buy Wools, and bring them to the Staples, and Aliens may export them. Felony for the King's Subjects to export Wool, &c.

ITEM, We will and Grant, That all Merchants, as well Aliens as Denizens, may buy Wools, Leather, Woolfels and Lead, through our Realm and Lands, without Covin or Collusion to abate the Price of the said Merchandises; so always that they bring the same to the Staples: and that no Merchant, English, Welsh nor Irish, shall carry any Manner of Wools, Leather, Woolfels or Lead out of the said Realm and Lands, upon the Pain of Life and Member, and of Forfeiture of the said Merchandises, and of all their other Goods and Chattels to Us, and of Forfeiture of all their Lands and Tenements to the Chief Lords; and the Chief Lords shall have a Writ of Escheat in the Case: And that no Strange Merchants by Covin betwixt them and English, Irish or Welsh Merchants shall carry out of the Realm and Lands aforesaid, the said Wares and Merchandises (¹) to the Profit of English, Irish, or Welsh Merchants, in Part or in all; nor that any Merchant, English, Irish, or Welsh, nor other, make Covin or Collusion with Merchants Strangers, to carry their Wools, Leather, Woolfels or Lead, to the Parts beyond the Sea, out of the Realm and Lands aforesaid, under the Name of Merchants Strangers, nor shall send nor [hold ³] their Servants, or other their Attornies in the Parts beyond the Sea, out of our said Realm and Lands, to sell or to survey the Sale of their said Wools, Leather, Woolfels and Lead there, or to receive the Money coming of the Sale of the said Wools, Leather, Woolfels and Lead; nor that any Englishman, Irishman, or Welshman, by himself nor by other, take Payment of Gold nor of Silver, nor of other Thing in Recompence or Commutation, or in the Name of Payment in the Parts beyond the Sea out of the Realm and Lands aforesaid, of Merchandises sold in England, Ireland, or Wales, touching the Staple, but all such Payment shall be made in Gold or in Silver, or Merchandise in England, Ireland, or Wales, where the Contract was made, upon the Forfeitures and Pains next aforesaid: Nor that the Merchants Strangers nor Denizens make betwixt them privily nor apertly, any Company or Confederacy in Fraud or Deceit of this Ordinance, nor that any maintain [the same for gain, nor in other Manner to do ⁴] any such Fraud or Deceit upon the same Pains and Forfeitures. And always it is to be understood, that every Englishman, Irishman, or Welshman, may freely bring their own Wools, Leather, Woolfels and Lead, to the Staple to sell there, without being compelled to sell them in the Country. And that every Merchant that shall sell his Wools at the Staple be bound to warrant the packing of the same Wools.

No Subject shall export Wool, &c. in a Stranger's Name, nor keep a Servant beyond the Sea, to survey the Sale of Wool, &c. Nor receive Payment for the same Abroad.

Every Man may carry his own Wool, &c. to the Staple to sell.

Warranty of Packing.

IV. That Prises be not made of Goods or Carriages coming to the Staple.

ITEM, Forasmuch as no Staple may be profitable for Us and for our said Realm and Lands, unless it be free; We will and grant for Us and for our Heirs, for the Maintenance of the said Staple, that all Manner of People may come with their [Carriage ⁵] and Goods to the Staple, and from the same return freely, without being disturbed by Prises of Us or of any other; Saving to Us and to our Heirs all Manner of Prises Royal, of

¹ *and* ² *surreptitious and nought.*
³ *of English, Welsh, or Irish Merchants,* ⁴ *keep*
⁵ *them for gain, or in other manner in* ⁶ *Carriage.*

lour gre, soit meintenant arestu p le Meire & Baillifs du lieu, sil soit hors de lestaple, ou p les Meire & Ministrs del Estaple sil soit deinz lestaple, & soit hastive & redde ꝑces fait dews lui, de jour en jour & de heure en heure, solonc la leie de lestaple, & nemie a la cõe lei, sibien hors de lestaple come dedeinz, a chescuni pleinte qi issint ſra grevee; et sil soit ent atteint, paie au Marchant le double de ce qil prist, & tant a nous; et q̃ nulle cõmission soit faite de ꝑndre tieles prises des ditz Marchantz, et si nulle tiele cõmission soit fait, soit tenue surreptice & p[r] nulle.

Item nous volons & g[n]tons, q̃ touz Marchantz sibien denzeins come estranges pussent achater laines, quirs, peux (¹) & plomb, p touz noz roialme & ẏres, saunz covyne ou collusion p[r] amenuser le pris des dites Marchandises, issint totes foitz qils les amesnent a les Estaples: Et q̃ nul Marchant Engleis, Galeis, ne Irreis, ne passe nulle mañe de laines, quirs, peaux lanuz ne plomb, hors des ditz roialme & ẏres, s[r] peine de vie & de membre & de forfait'e des dites Marchandises, & de touz leur aut's biens & chateux dews nous, & de forfait'e de leurs ẏres & teñz dews les chiefs Seign'rs; & eient les chiefs Seign'rs brief deschete en le cas; et q̃ nuls Marchantz estranges, p covine entre eux et Marchantz Engleis Galeis ou Irreis, amesnent les dites merces & marchandises des Marchantz Engleis, Galleis ou Irreis, hors du Roialme & ẏres avantditz, au ꝑfit des Engleis, Galeis ou Irreis, en ꝑtie ou en tout; ne q̃ nul Marchant Engleis, Galeis ne Irreis nautre, face covyne od Marchantz estranges damesner leur laines, quirs, peux lanutz ou plomb, as ꝑties de dela, hors du roialme & ẏres avantditz, souz noun des Marchantz estranges, nenvoient ne tiegnent leur ſvantz ou aut's leur attournez es dites ꝑties de dela, hors de noz ditz roialme & ẏres, p[r] vendre ou ſveer la vente de leur dites laines, quirs, peaux, ou plomb illoeqes, ou de receivre les deniers ꝑvenantz de la vente des dites laines, quirs, peaux (²) & plomb; ne q̃ nul Engleis, Galeis ne Irreis, p lui ne p autre, ꝑigne paiement dor ne dargent, nautre chose, en recompensacion ou cõmutacion ou en noun de paiement, es ꝑties de dela, hors de noz roialme & ẏres avantditz, des marchandises vendues en Engleẏre Gales ou Irlande, touchantes lestaple, mes soit tout tiel paiement fait, en or ou argent ou marchandises en Engleẏre, Gales ou Irlande, ou le contract se fist, s[r] les peines & forfait'es ꝑscheins avantdites: ne q̃ les Marchantz estranges, ne Marchantz denzeins, facent entre eux, en prive nen apte, compaignie ne confederacie en fraude ou deceite de ceste Ordenance, ne q̃ nul les meintiegne p[r] gaigne nen autre mañe en tiele fraude ou deceite, s[r] meismes les peines & forfaitures. Et toutdys fait a entendre q̃ chescun Engleis, Galeis & Irreis, pusse amesner franchement ses laines ꝑpres, quirs, peaux (³) & plomb a lestaple a vendre illoeqes, saunz estre artee de les vendre en pais. Et q̃ chescun Marchant qi vent ses laines a lestaple, soit tenuz a garantir la empakkure de meismes les laines.

Qd̃ ñicatores indigene & alienigene possint emẽ lanas, & eas ad Stapulas ducẽ, et qd̃ palienigenas ext[a] regnũ ducant[r].

D' Warañt Packure.

Item p[r] ce q̃ nulle Estaple poet estre ꝑfitable p[r] no[9] & p[r] noz ditz roialme & ẏres, si ele ne soit fraunche; si volons & grantons p[r] nous & noz heirs, p[r] maintenance du dite Estaple q̃ totes mañes des gentz pussent venir, od leur cariages & biens, dews lestaple, & retourner dicelle franchement, saunz ce qils soient destourbez p prises de nous ou de nul autre; Sauvees a nous & a noz heirs totes mañes des prises roialx de tote mañe

Qd̃ prise non fiant de rebꝫ seu cariag̃ venientibꝫ ad Stapulam.

¹ } lanutz *MS. Reg: MS. Cott: Printed Copies.*
² }
³ }

dauꝰ cariages & vitailles, ꝑ toutz nos roialme & ꝟres avantditz, auncienemēt dues & usees de droit, come ad este fait ꝑ nous & noz auncestres devant ces heures: et eit chescun cariour retournant de lestaple, une bille soūz le Seal du Meire de lestaple, ꝑ quele il poet estre conu qil sert a lestaple, contenant les journees q̄ lui bosoigne pr son retourner a lostiel, quele Bille lui soit grante franchement; et soit meisme le Meire juree q̄ il ne fra nulle tiele bille pr nul autre q̄ ne sert a lestaple; et si nul tiel cariour, charette, beste, nief, ou autre chose, q̄ sert pr cariage de ce q̄ apptient a lestaple, soit pris, & soit deinz la ꝟge hors de lestaple, soit hue & crie leve sr les ꝑnours, & soient meintenant les ꝑnours pris, ꝑ gentz de la ville ou la prise feust faite, ou ꝑ gentz dauꝰ villes, sils soient defuantz, & mesnez devant le Seneschal & Mareschalx de nr̄e Hostiel, & illoeqes soit fait redde punisement de eux solonc ce q̄ le fait demand; et si tiele prise soit faite hors de la ꝟge, soit hue & crie leve, & soient les ꝑnours pris & arestuz, ꝑ la villee ou tiele prise est faite, ou ꝑ autꝰ villees ꝓscheines sils soient defuantz, & mesnez a la ꝓscheine gaole & illoeqes soit fait de eux come de larons si le fait le demand. Et en cas q̄ les gentz de tiels villes soient negligentz, & ne veullent pꝰsuir & arester tieux ꝑnꝰ come devant est dit, respoignent les quatre villees ꝓscheines, des damages q̄ purront estre trovez devant ceux qi nous a ce assignerons les pleintifs avoir encurru ꝑ lour defaut, sils ne se pussent resonablement ent excuser; et si tieles prises soient faites en lieu ou lestaple est, soient les ꝑnours arestuz ꝑ les Meire & Minisꝰ de lestaple, & droit fait as pleintifs ꝑ les ditz Meire & Minisꝰ; Issint totes voies q̄ si tiele prise soit faite a lestaple, & lestaple soit deinz la ꝟge, & les ꝑnours arestuz soient de nr̄e hostiel, adonqes soit fait droit de eux ꝑ les Meire & Minisꝰ de lestaple; & soient le Seneschal & Mareschalx de nr̄e hostiel, ou le lieutenant le Seneschal, a ce appellez, sils y voillent estre, pr veer q̄ droit se face des ditz ꝑnours solonc la lai de lestaple; et en cas qils ne y viegnent point, aillent les Meire & Minisꝰ de lestaple avant en le ꝑces, & facent justice solonc la lei de lestaple, nient contreesteante la nounvenue des Seneschal ou Mareschalx, ou lieutenant avantditz.

Qd Justic̄ ꝟ non heant cognic̄oes de reb3 tang Stapulas.

Item en cas q̄ nr̄e Baunc, ou la cōe Baunc, ou Justices en Eire, ou Justices dassises, ou la place de la Mareschalcie, ou ascunes autꝰ Justices viegnent es lieux ou les dites Estaples sont, les dites Justices, ne Seneschal ne Mareschalx, nautꝰ des dites places, neient nulle conissance illoeqes de choses q̄ apptiegnent au conissance des Meire & Minisꝰ de lestaple.

Qd Marescalli ne alii Ministri ꝟ se intromittant infra Stapulas.

Item nous volons & defendons, q̄ nuls Mareschalx nautꝰ Minisꝰ de nr̄e hostiel ne dautri ne facent livee ne se mellent es lieux ou les Estaples sont tenues, de mesons, ou Marchantz ou leur meisnee, ou laines ou autꝰ Marchandises de lestaple ꝟront herbigez, ne nentrent en ycelles pr lēur office faire illoeqes, ne riens ne ꝓignent pr ent faire desport a nulli, sr peine de faire gre a la ptie a qi seute il ꝟra atteint, du quatreble de ce q̄ le pleintif ꝟra endamage, & outre soit grevousement puni devꝰ nous.

Qd licencia non concedar indigenis ad ꝺucend lanas.

Item no⁹ volons & grantons q̄ nulle conge ne privilege de faire passer ꝑ Engleis, Galeis ne Irreis, laines, quirs, peaux lanutz ne plomb, hors des ditz roialme & ꝟres, ne soit gᵃnte ꝑ nouz ne noz heirs contre ceste Ordenance; et si nulles soient grantez au contraire, soient tenues pr nulles, & ne doignent garantie ne excusacion a ceux qi ferront passer les dites Marchandises, qils nencoergent les peines & forfaitꝰes contenues en le dit tierce Article.

all Manner of (1) Carriages and Victuals through all our said Realm and Lands of old Times due and used of Right, as have been made by Us and by our Ancestors in Times past: And every Carrier returning from the Staple, shall have a Bill under the Seal of the Mayor of the Staple, whereby it may be known that he serveth the Staple, containing the [Journeys [2]] which he needeth for his Return [to the House, [3]] which Bill shall be freely granted to him; and the same Mayor shall be sworn that he shall make no such Bill for any other than (4) which serveth the Staple; and if any such Carrier, Carts, Ships, Beasts, or other Thing, which serveth for Carriage of that which pertaineth to the Staple be taken, and be within the Verge out of the Staple, Huy and Cry shall be levied upon the Takers, and the Takers shall be presently apprehended by People of the Town where the Prise was made, or by People of another Town, if they [be lacking, [5]] and brought before the Steward and Marshal of our House; and there ready Punishment shall be made of them, according as the Deed requireth; and if any such Prise be made out of the Verge, Huy and Cry shall be levied, and the Takers shall be taken and arrested by the Town where such Prises shall be made, or by other Towns near, if they [be lacking [5]] and brought to the next Gaol, and there to be done of them as of Felons, if the Deed the same require. And in case that the People of such Towns be negligent, and will not pursue and arrest such Takers as before is said, the Four Towns next shall answer of the Damages that may be found, before them whom We shall thereto assign, that the Plaintiffs have incurred by their Default, if they cannot reasonably excuse themselves thereof; and if such Prises be made in a Place where the Staple is, the Takers shall be arrested by the Mayors and Ministers of the Staple, and Right done to the Plaintiffs by the said Mayors and Ministers; so always, that if such Prise be made at the Staple, and the Staple be within the Verge, and the Takers arrested be of our House, then Right shall be done of them by the Mayor and Ministers of the Staple; and the Steward and Marshal of our House, or the Steward's Lieutenant, shall be thereto called, if they will be there, to see that Right be done of the said Takers according to the Law of the Staple; and in case they come not, the Mayor and Ministers of the Staple shall proceed in the Process, and do Justice according to the Law of the Staple, notwithstanding the not coming of the Steward or Marshal, or Lieutenant aforesaid.

Offenders shall be apprehended by Hue and Cry, and punished before the Steward and Marshal of the King's House;

Or before the Mayor and Ministers of the Staple.

V. That the King's Justices take not cognizance of Things touching the Staple.

ITEM, In case that our Bench or Common Bench, or Justices in Eyre, or Justices of Assise, or the [Place [6]] of the Marshalsea, or any other Justices, come to the Places where the said Staples be, the said Justices nor [Stewards, nor Marshals, nor of other the said Place, [7]] shall have any Cognisance there, of that Thing which pertaineth to the Cognisance of the Mayor and Ministers of the Staple.

VI. That Marshals and other Officers intermeddle not within the Staple.

ITEM, We will and defend, That no Marshal nor other Minister of our House, or of others, shall make Livery, nor meddle, in the Places where the Staples be holden and kept, [nor with [8]] the Houses where the said Merchants or their People, or Wools, or other Merchandises of the Staple be lodged, nor enter into the same to execute their Office there, nor take any Thing thereof to spare any, upon Pain to make gree to the Party at whose Suit he shall be attainted, of the quatreble of that which the Plaintiff shall be endamaged, and further shall be grievously punished by Us.

VII. That Licence be not granted to Natives to export Wools.

ITEM, We will and grant, That no Licence or Privilege to make Passage by Englishmen, Irishmen, or Welshmen, of Wools, Leather, Woolfels or Lead, out of the same Realm and Lands, shall be granted by Us or our Heirs against this Ordinance; and if any be granted to the contrary, they shall be holden for none; and they shall give no Warranty, nor Excuse to them, which shall cause to be passed the said Merchandises, that they shall not incur the Pains and Forfeitures contained in the said (9) Article.

See Chapter 3.

[1] *other* [2] *Days'-journies* [3] to hostel *MS. Tr.* 2.
[4] *him* [5] *have fled* [6] *Court*
[7] *the Steward nor Marshal, nor any others of the said Courts,*
[8] of [9] third *MS. Tr.* 2.

VIII. Of the Jurisdiction and Privileges to be observed in the Staple.

ITEM, We have ordained and established, That the Mayors and Constables of the Staple shall have Jurisdiction and Cognisance within the Towns where the Staples shall be, of People, and of all Manner of Things touching the Staple; and that all Merchants coming to the Staple, their Servants and Meiny in the Staple, shall be ruled by the Law-Merchant, of all Things touching the Staple, and not by the common Law of the Land, nor by Usage of Cities, Boroughs, or other Towns; and that they shall not implead nor be impleaded before the Justices of the said Places in Plea of Debt, Covenant and Trespass, touching the Staple, but shall implead all Persons of whom they will complain, as well such as be not of the Staple, as those that be of the Staple, which shall be there found, and in the same Manner they shall be impleaded, only before the Mayor and Justices of the Staple, which shall be thereto deputed, of all Manner of Pleas and of Actions, whereof the Cognizance pertaineth to the Ministers of the Staple: So always that (1) all Manner of Contracts and Covenants made betwixt Merchant and Merchant, or other whereof the one Party is a Merchant or Minister of the Staple, whether the Contract or Covenant made be within the Staple or without, and also of Trespasses done within the Staple to Merchants, or to Ministers of the Staple by other, or by any of them to other, the Party Plaintiff shall chuse whether he will sue his Action or Quarrel before the Justices of the Staple by the Law of the Staple, or in other Place [of (2)] the common Law, and he shall be thereto received; So always that in the Pleas touching any of our House, the Steward or his Lieutenant, and the Marshals of our House, shall be with the Mayor of the Staple, to see that Right be done to the Parties as before is said, if they will be there: But Pleas of Land and of Freehold shall be at the common Law. And if Merchants or their People being in the Staple, because of the same do commit Felony, or be slain, robbed, or maimed by any Persons, the Mayor of the Staple and other meet Persons shall be assigned Justices, to hear and determine the said Felonies and Maims within the Staple without Delay, according to the common Law; and if any such Felon or Trespasser be taken or detained within any Franchise, to whomsoever the same be, because of such Felony or Maim done within the Staple, it shall be presently commanded by Writ, to cause the said Felon, or him that did the Maim, to come before the said Justices, to do Right of him in Form aforesaid; and if they that have such Prisoners in Ward, will not deliver them, they shall incur the Pain of an hundred pounds to Us; and nevertheless they shall deliver the Body in the Form aforesaid. And in case that any Indictment be made out of the Staple, of Felonies or Trespasses done by People of the Staple, or by other to them within the Staple, the same Indictment shall be sent before the said Mayor, and them which shall be assigned Justices with him, to do Right in this Party: and if the Plea or Debate be [made (3)] before the Mayor of the Staple, betwixt the Merchants or Ministers of the same, and thereupon to try thereof the Truth, an Inquest or Proof is to be taken, We will that if the One Party and the other be a Stranger, it shall be tried by Strangers; and if the One Party and the other be Denizens, it shall be tried by Denizens; and if the one Party be Denizen, and the other an Alien, the one half of the Inquest, or of the Proof, shall be of Denizens, and the other half of Aliens.

All contracts and trespasses within the Staple shall be ruled by the Law-Merchant.

The Mayor and Justices of the Staple only shall have Jurisdiction.

The Plaintiff shall have the option of suing at Common-law.

In Pleas touching the King's House, the Steward and Marshal shall assist.

Pleas of Land; Felony, or Maim done within the Staple shall be tried at Common-law.

Felons within Franchises shall be delivered up to the Justices of the Staple.

Indictments found out of the Staple shall be sent before them.

The Inquest upon Trials;

Aliens,

Denizens,

Medietas linguæ.

IX. ITEM, To the Intent that the Contracts made within the same Staple shall be the better holden, and the Payments readily made; We have ordained and established, That every Mayor of the said Staples shall have Power to take Recognizances of Debts, which a Man will

(1) of *MS. Tr.* 2. (2) at (3) moved *MS. Tr.* 2.

D' jurisdicc̃oe & p'vileg̃ in Staput observand.

Item avons ordene & establi, q̃ les Meires & Conestables de les Estaples eient jurisdiccion & conissance deinz les villes ou les Estaples [- - serront de - - - -(1)] gentz & de tote manꝺe des choses touchantes lestaple; et q̃ touz Marchantz venantz a lestaple, leur ꝟvantz & leur meisnee en lestaple, soient mesnez ꝑ la lei marchant des totes choses touchantes lestaple, & nemie ꝑ la cõe lei de la ꝛre, ne ꝑ usages des Citees, Burghs nauꝛs villes; et quils nempledent ne ne soient empledez devant les Justicꝭ des ditz lieux, en plee de dette, covenant & ꝟspas touchantz lestaple, einz pledent totes ꝑsones des queux ils se vodront pleindre, sibien ceux q̃ ne sont mie de lestaple come ceux qi sont de lestaple, queux ꝟront illoeqes trovez, et soient en meisme la manꝺe empledez soulement devant le Meire & Justicers de lestaple, qi ꝟront a ce deputez, de totes manꝺes de plees & daccions dount la conissance apptient as Minisꝛ de lestaple; issint tote foitz q̃ de tote manꝺe des contractz & covenantz, faitz entre Marchant et Marchant ou auꝛs, dount lune ptie soit Marchant ou Ministre de lestaple, le quel q̃ le contract, ou covenant soient faitz deinz lestaple ou dehors, & aussint des ꝟspas faitz deinz lestaple, a Marchantz ou as Minisꝛs de lestaple ꝑ auꝛs, ou ꝑ nul de eux as auꝛs, elise la ptie pleintif, le quel il voet suir sa accion ou sa querele devant les Justicers de lestaple, ꝑ la lei de lestaple, ou en auꝛs places a la cõe lei, & soit a ce receu; Issint totes voies q̃ es plees touchantz ascun de nr̃e hostiel, le Seneschal ou son Lieutenant, & les Mareschalx de nr̃e dit hostiel, ysoient ovesq̃ le Meire de lestaple, ꝑ' veer q̃ droit se face as ꝑties come devant est dit, sils yvoillent estre: Mes plees de ꝛre & de frank ten̄ soient a la cõe lei. Et si Marchantz, ou leur gentz esteantz a lestaple, ꝑ cause dicelle facent felonie, ou soient tuez, derobbez, ou mahemez ꝑ q̃conqes ꝑsones, soient le Meire de lestaple & auꝛs covenables assignez Justices, a oir & ꝛminer les dites felonies & mahemes deinz lestaple, saunz delai solonc la cõe lei; et si nul tiel felon ou ꝟspassour soit pris & detenue deinz ascune franchise, a qi q̃ ce soit, ꝑ cause de tiele felonie ou maheime faitz deinz lestaple, soit meintenant maunde ꝑ brief de faire venir le dit felon, ou celui q̃ fist le maheime, devant les dites Justices afaire droit de lui en la forme avantdite; et si ceux qi ount tieux prisons en garꝺ ne les veullent deliv̄er, encoergent la peine de C. li. devꝛs nous, & jadumeinz deliv̄ent le corps en la forme desusdite. Et en cas q̃ nul enditement soit fait hors de lestaple, de felonies ou ꝟspass faitz ꝑ gentz de lestaple, ou ꝑ auꝛs a eux deinz lestaple, soit celle enditement maunde devant le dit Meire, & ceux q̃ ꝟront assignez ovesq̃ lui Justices, affaire droit en celle ptie: et si plee ou debate soit meue devant le Meire de lestaple, entre les Marchantz ou Ministres dicelle, & sꝛ ce ꝑ' trier ent la ꝛite enqueste ou proeve soit a ꝑndre, si volons q̃ si lune ptie & lautre soit estrange, soit trie ꝑ estranges, et si lune ptie & lautre soit denzein, soit trie ꝑ denzeins, et si lune ptie soit denzein & lautre alien, soit la une moite del enquest, ou del ꝑve, de denzeins & lautre moite des aliens.

Item au fin q̃ les contractz faitz deinz lestaple soient le meultz tenuz, & les paiementz ꝑstement faitz, si avons ordene & establi, [q̃ chescun Meire des ꝺites Estaples eit poair de ꝑndre reconissances de dettes,

(1) Written on an Erasure—After 'serront' *Rot. Ord.* reads '& les suburbes dicel des' wherewith *MS. Reg.* and *MS. Cott.* and some old Printed Copies agree.—Other old Printed Copies omit these words.

D' recognicõibz in Stapula capiend & Execucõibz eazdem.

q̃ hõme vodra faire devant lui, en ꝑsence des Conestables de lestaple ou lun de eux, et [2] q̃ en chescune des dites Estaples soit un seal ordene demorant en la [illegible] du dit Meire souz les Sealx de meismes les Conestables, et q̃ totes obligacions q̃ yserront faites s' tieles reconissances soient enselez du dit Seal, paiant p' chescune Obligacion de C. li. & dedenz, de chescune livre un maiꝧ, & de chescune obligacion outre C. li. de chescune livre, un ferthing: et q̃ le Meire de lestaple, p ꝟtue de celles ꝛres ensi ensealez, pusse ꝑndre & tenir en prisone le Corps du dettour aꝑs le ꝛme encurru, sil soit trove deinz lestaple, tanqil eit fait gre au Creditour de la dette & des damages, & aussint darester les biens de meisme le dettour, trovez deinz la dite Estaple, & deliv̄er les ditz biens au Creditour p verroie estimacion, ou de les vendre a meultz q̃ homme purra, & de liverer les deniers au dit Creditour tanq̃ a la Sūme due. Et en cas q̃ le dettour ne soit trovez deinz lestaple, ne ses biens a la value de la dette, soit ce ☩tifie en la Chauncellerie souz le dit Seal, s' quele ☩tificacion soit brief mande de ꝑndre le corps du dit detto', saunz le mettre a meinprise, & de seisir ses terres & tenementz, biens & chateux; et soit le dit brief retournee en nostre Chauncellerie, ové la certificacion de la value des ditz terres & tenementz biens & chateux; et s' ce ysoit due execucion faite de jour en jour, en maꝧe come il est contenue en lestatut Marchant, issint q̃ celui, a qi la dette est due, eit estat de frankteñ en les ꝛres & teñz q̃ lui ꝺront liv̄ez, p ꝟtue de cel ꝑces, & recov̄ir p brief de novel disseie en cas qil soit oste; et q̃ le dettour neit mie avauntage de quart dun an, qest contenu en le dit Estatut Marchant. Et en cas q̃ nul Creditour ne voille avoir ꝛres du dit Seal, einz voille esteer a la foi du dettour, si aꝑs le ꝛme encurru il demand la dette, soit le dettour cru s' sa foie.

D' mensuris & ponderibz.

Item p' ce q̃ nous avons entendu, q̃ ascuns Marchantz achatent avoir de pois, laines, & autꝛ marchandises ꝑ un pois, & vendent ꝑ un autre, & fount aussint deceivables retretes s' le poiser, & aussint usent falses mesures & ꝟges, en g'nt deceite de nous & de tote la cõe, & des loialx Marchantz; si volons & establissons, q̃ un pois, une mesure, & une ꝟge soit ꝑ toute la ꝛre, sibien hors de lestaple come dedeinz: et q̃ laines & tote maꝧe davoir de pois soient poisez ꝑ balances, Issint q̃ la lange du balance soit owele, saunz encliner a lune ptie ou a lautre, & saunz mettre main ou pe ou autre touche faire a icelle; et q̃ celui qi face a lencontre, au damage du vendo', forface dev̄s nous la value de la Marchandie issint poisee, & mesuree, & eit la ptie q̃ se pleindra le quatreble de ce qil ꝺra endamagee; & eit le ꝛspassour lemprisonement dun an, & soit reint a nr̃e volunte: et s' ce soient assignes Justices denqueer de tieux ꝛspassours, a totes les foitz q̃ mestiere ꝺra, & de faire droit, sibien a nr̃e seute come a seute dauꝛs, qi se vodront ent pleindre.

Qd mcimonia vendi possint in grosso & p pceꝧ, & qd non forstallentr.

Item avons ordene & establi, q̃ touz Marchantz aliens & denzeins, & autꝛ qi amesn̄ont vins & autꝛ mces & marchandises q̃conqes q̃ eles soient a lestaple, Citees, Burghs & bones villes, ou as portz de meer deinz noz ditz roialme & ꝛres, les pussent sauvement, & saunz chalenge ou empeschement de nulli, vendre en gros ou a retaiꝧ, ou ꝑ parcelles a lour volunte, a q̃conqes gentz q̃ les vodront achater: et q̃ nul Marchant prive nestrange nautre, de quele condicion qil soit, aille ꝑ ꝛre ne ꝑ ewe dencontrer tieux vins, mces & marchandises, venantz en noz ditz roialme & ꝛres, en meer ne

[2] *Rot. Ord.* omits.—On the Roll of the Staple an Erasure has been made, on which these Sentences and several following are written.

make before him, in the Presence of the Constables of the Staple, or one of them: And that in every of the said Staples be a Seal ordained, remaining in the Custody of the Mayor of the Staple, under the Seals of the Constables, and that all Obligations which shall be made upon such Recognizances, be sealed with the said Seal, paying for every Obligation of an hundred pounds and within, of every pound an Halfpenny, and of every Obligation above an hundred pounds ([1]) a Farthing: And that the Mayor of the Staple by virtue of the same Letters so sealed, may take and hold in Prison the Bodies of the Debtors after the Term incurred, if they be found within the Staple, till they have made gree to the Creditor of the Debt and Damages; and also arrest the Goods of the said Debtors found within the said Staple, and deliver the said Goods to [the said Creditors,[2]] by true Estimation, or [to [3]] sell them at the best that a Man may, and deliver the Money to the Creditors until the Sum due. And in case that the Debtors be not found within the Staple, nor their Goods to the Value of the Debt, the same shall be certified in the Chancery under the said Seal, by which Certification a Writ shall be sent to take the Bodies of the said Debtors, without letting them to mainprise, and to seise their Lands and Tenements, Goods and Chattels; and the Writ shall be returned in the Chancery, with the Certificate of the Value of the said Lands and Tenements, Goods and Chattels; and thereupon due Execution shall be made from Day to Day, in Manner as it is contained in the Statute Merchant, so that he to whom the Debt is due, shall have Estate of Freehold in the Lands and Tenements, which shall be delivered to him by virtue of the same Process, and recovery by Writ of Novel disseisin, in case if he be outed; and that the Debtor have no Advantage of the Quarter of a Year which is contained in the said Statute-merchant. And in case that [no Creditor will have Letters [4]] of the said Seal, but will stand to the faith of the Debtor, if after the Term incurred he demand the Debt, the Debtor shall be believed upon that Faith.

Of taking Recognizances in the Staple, and Execution of the same.

Execution awarded out of the Chancery if the Debtor have not sufficient in the Staple.

What Estate the Creditor shall have in the Debtor's Land extended.

The Debtor shall not have the Quarter of a year as in a Statute Merchant.

X. Of Measures and Weights.

ITEM, Because we have perceived, that some Merchants do buy [avoir de pois,[5]] Wools and other Merchandises by one Weight, and sell by another, and make also deceitful [Draughts [6]] upon the Weight, and also use false Measures and Yards, in great Deceit of Us and of all the Commons, and of lawful Merchants; We will and establish, that one Weight, one Measure, and one Yard, be through all the Land, as well out of the Staple as within: And that Wools, and all Manner [avoir de pois [7]] be weighed by the Balance, so that the Tongue of the Balance be even, without bowing to the one Side or to the other, or without putting Hand or Foot, or other Touch making of the same; and that he which doth against the same, to the Damage of the Seller, shall forfeit to Us the Value of the Merchandise so weighed and measured; and the Party that will complain him, shall have the quatreble of that which he shall be indamaged; and the Trespasser shall have one Year's Imprisonment, and be ransomed at the King's Will: And thereupon Justices shall be assigned to inquire of such Trespasses at all Times that shall be needful, and to do Right as well at our Suit as at the Suit of other that thereof will complain.

There shall be one Weight, one Measure, and one Yard, through all the Land.

The Penalty of him which doth not weigh by equal balance.

XI. That Merchandizes may be sold in gross, and by parcels, but not be forestalled.

ITEM, We have ordained and stablished, That all Merchants, Aliens and Denizens, and other that do bring Wines and other Wares or Merchandises whatsoever they be to the Staples, Cities, Boroughs, and good Towns, or to Ports of the Sea within our said Realm and Lands, may safely and without Challenge and Impeachment of any, sell them in Gross or at Retail or by Parcels at their Will, to all Manner of People that will buy the same: And that no Merchant, Privy, nor Stranger, nor other of what Condition that he be, go by Land nor by Water [toward [8]] such Wines, Wares, or Merchandises, coming into our said Realm and Lands

[1] of every Pound [2] *the Creditor* [3] *may*
[4] *any Creditor will not have* [5] *goods of weight*
[6] withdrawings *MS. Tr.* 2.
[7] of goods of weight [8] to encounter, *MS. Tr.* 2.

in the Sea, nor elsewhere, to forestal or buy them, or in other Manner to give earnest upon them, before that they come to the Staple, or to the Port where they shall be discharged, nor enter into the Ships for such Cause, till the Merchandises be set to Land to be sold, upon the Pains and Forfeitures contained in the same Third Article aforesaid.

See Chapter 3.

XII. That Wools be not carried out of England to Berwick, nor sold to Scotsmen.

ITEM, That no Merchant, Privy nor Stranger, nor other, shall carry out of our Realm of England, Wools, Leather, or Woolfels to Berwick upon Tweed, nor [elsewhere, nor into[1]] Scotland; nor that any Man, Merchant nor other, of what Condition that he be, sell his Wools, Woolfels or Leather, to any Man of Scotland, nor to any other to carry into Scotland, upon the Pains and Forfeitures contained in the said Third Article.

See Chapter 3.

XIII. That Men robbed on the Sea be admitted to sue for their Goods.

ITEM, We will and grant, That if any Merchant, Privy or Stranger, be robbed of his Goods upon the Sea, and the Goods so robbed come into any Parts within our Realm and Lands, and he will sue for to recover the said Goods, he shall be received to prove the said Goods to be his own [by his Marks, or by his Chart or Cocket,[2]] or by good and lawful Merchants, Privy or Strangers; and by such Proofs the same Goods shall be delivered to the Merchants, without making other Suit at the Common Law: And in case that any Ships, going out of the said Realm and Lands, or coming to the same, by Tempest or other Misfortune, break upon the Sea Banks, and the Goods come to the Land, which may not be said Wreck, they shall be presently without Fraud or evil Device delivered to the Merchants to whom the Goods be, or to their Servants, by such Proof as before is said, paying to them that have saved and kept the same, convenient for their Travel; that is to say, by the Discretion of the Sheriffs and Bailiffs, or other our Ministers, in Places guildable, where other Lords have no Franchise, and by the Advice and Assent of four or six of the best or most sufficient discreet Men of the Country; and if that be within the Franchise of other Lords, then it shall be done by the Stewards and Bailiff, or Wardens of the same Franchises, and by the Advice of four or six discreet Men of the Country, as afore is said, without any Delay.

On proof, the Goods shall be re-delivered to them.

Goods stranded by Tempest, shall be restored on Salvage.

XIV. Of Money, and the Exchange of Monies, and that no Money be carried out of the Realm, except new Money.

ITEM, We have ordained, That all Merchants, Privy and Strangers, may safely carry and bring within our said Realm and Lands, Plate of Silver, and billets of Gold, and all other Manner of Gold, and all Money of Gold and Silver to our Bullion, or to our Exchanges, which we shall cause to be ordained at our said Staples, and elsewhere, taking there Money of our Coin of Gold and Silver conveniable to the Value. And if any will take good Money of Gold and Silver of other Coin than of ours in Payment, he shall take the same without Impeachment, so that none be thereunto compelled if he will not take it of his good Will.

Provided always, That no Money have common Course within our said Realm and Lands, but the Money of Gold and Silver of our Coin; and that none carry out of our said Realm and Lands the old Sterling, nor other Money but our new Money of Gold and Silver, except the Merchants Strangers that bring to our said Realm and Lands any Manner of Money, and [there will[3]] employ this Money within our Realm and Lands; whom we will that they may re-carry into their Country all this Money, or as much as shall remain thereof not employed without Impeachment: so always that good and lawful Search be thereof made in the Ports, and other Places where any Arrival is; and that all the Money that every Merchant Stranger shall bring within our said Realm and Lands, shall be put in Writing by the Searchers, to the Intent that no Merchant shall carry more beyond the Sea than he brought into the same Realm and Lands.

Search for Money in the Ports.

[1] *to any part elsewhere in*

[2] by the marke, deede, or cokette, *MS. Tr.* 2.

[3] *will not*

aillours, p[r] les forstaller, achater, ou en autre manie arrer, avant qils viegnent a lestaple, ou au Port ou ils ſront deschargez, ne entre les niefs p tiele cause tanq; les marchandises soient mis a la ſre p[r] vendre, s[r] les peines & forfaitures contenuz en le dit tierce Article.

Item q̃ nul Marchant prive nestrange nautre, amesne hors de nr̃e roialme Dengleſre laines, peaux lanutz ne quirs a Berewyk s[r] Twede [ne nulle pt aillours[1]] en Escoce; ne q̃ nul hom̃e Marchant nautre, de quele condicion qil soit, vend ses laines, peaux lanuz ne quirs a nul home de Escoce, ne a nul autre p[r] amesner en Escoce, s[r] les peines & forfaitures contenuz en le dit tierce Article.

Qd̃ lane extra regnũ Angl' usq; Berewicũ non ducant[r] nec Scotis vendant[r].

Item no volons & g[s]ntons, q̃ si ascun Marchant, prive ou estrange, soit derobbe de ses biens s[r] meer, & les biens ensi derobbez viegnent ascune pt deinz noz ditz roialme & ſres, & voet suir p[r] les ditz biens recovir, soit receu de ꝑver les ditz biens estre les soens, p ses riches ou p sa carte ou coket, ou p bons & loialx Marchantz, privez ou estranges; et p tieles proeves soient meismes les biens delivs au Marchant, saunz autre seute faire a la cõe lei: et en cas q̃ nulles niefs, issantz de noz ditz roialme & ſres, ou venantes a ycelles, p tempest ou p autre infortune debrisent s[r] les costeres du meer, & les biens viegnent a ſre q̃ ne purront estre dit Wrek, soient meintenant saunz fraude ou mal engin delivs as Marchantz as queux les biens sont, ou a lour ſvantz, p tiele proeve come devant est dit, paiant a ceux qi les avont sauvez & gardez covenablement p[r] leur travaill; cest assavoir, p discrecion des viscontes, Bailiffs, ou auts noz Minists es lieux geldables ou auts Seign[rs] nount point de franchises, & p lavis & assent de quatre ou sys des meillours & plus sufficeantz ꝑdes ħomes du pais; et si ce soit deinz franchise dauts Seign[rs], adonq̃s se face p les Seneschalx, ou Baillifs ou Gardeins, de meisme la Franchise, & p lavis de quatre ou sys ꝑdes ħomes du pais come desuis est dit, saunz nul delaie.

Qd̃ hõies depdati sup mare admittant[r] ad ps̃ p bonis suis.

Item avons ordene & establi, q̃ touz Marchantz privez & est[a]nges pussent sauvement amesner & porter deinz noz ditz roialme & ſres, plate dargent, billettes dor, & tote autre manie dor, & totes monoies dor & dargent, a nr̃e billion ou a noz eschanges, queles nous ferrons ordener, a noz dites Estaples & aillours, ꝑnant illoeqes monoie de nr̃e coigne dor & dargent covenablement a la Value; et si nulle veulle ꝑndre bone monoie dor ou dargent, dautri coigne q̃ de nr̃e, en paiement, la ꝑigne saunz empeschement, si q̃ nul soit a ce artee sil ne la veulle ꝑndre de gre. Purveu totes voies q̃ nulle monoie neit cõe cours deinz noz ditz roialme & ſres, forsq; la monoie dor & dargent de nr̃e coigne; et qe nul emport hors de noz ditz roialme & ſres le veill esterling, nautre monoie, forsq; nr̃e novele monoie dor & dargent, horspris les Marchantz estranges, qi apportent en noz ditz roialme & ſres ascune manie de monoie, & [ne[2]] veullent emploier celle monoie deinz mesmes noz roialme & ſres, queux nous volons q̃ pussent tote celle monoie ou q[a]nq; ent dem'ra nient emploie, reporter en leur pais saunz empechement: Issint totes foitz q̃ bon & loial Serche ensoit fait, en les portz & auts lieux ou arivaill yest, et q̃ tote la monoie q̃ chescun marchant estrange amesnera deinz noz ditz roialme & ſres, soit mis en escript, p les Serchours, au fin q̃ nul marchant nemport plus qil napporta en meismes noz roialme & ſres

D' Moneta & escamb Monetaꝛ, & qd̃ Moneta non deferat[r] extra regnũ nisi nova Moneta.

[1] naillours ne } *Printed Copies.*
[2] la }

Rot. Ord: *MS. Reg*: *MS. Cott.* read as in the Text

Purveu totes voies, q̃ nul Ministre nautre p̃ colour de tiele Serche, ne face empeschement ne destourbance a nul Marchant estrange p̃ lui grever nounduement; et q̃ totes les falses monoies, q̃ purront estre trovez p̃ serche ou en autre mañe espiez, deinz meismes noz roialme & t̃res, en deceite de n̄re bone monoie, soient forfaitz a nous solonc les ordenances autrefoitz ent faites.

D' lanis ad Stapulas ducend, p̃ aquas dulces & p̃ brachia maris.

Item nous volons & establissons q̃ ceux qi ount laines, quirs, peaux lanutz, & plomb en pais entre les lieux ou les Estaples sont et la meer, & les veullent faire carier a les Estaples p̃ ewes douces ou braces de meer, facent endentures entre eux et les Baillifs des villes ou ils les mettront en nief, tesmoignantes come bien de laines, quirs, peux & plomb est issint mis en nief; et les Baillifs des lieux p̃dignent ꝑement & sufficeante seurete, p̃ quele ils vodront respondre, de eux & de Mariners qils irront od celle laine, quirs, peux, & plomb a les Estaples, & nulle p̃t aillours, & descharg̃ont illoeqes avant qils entrent la meer; et q̃ les Baillifs envoient meintenant lune p̃tie de lendenture, contenant la seurete & la quantite. de laines, quirs, peux, & plomb, au Meire de lestaple, as coustages de ceux as queux les biens soñt, p̃ ascun hōme p̃ qi ils vodront respondre. Et si nul Meire, Baillif, ou autre Ministre du lieu ou tieles marchandises ꝑront chargez, soefrent les dites marchandises passer en autre mañe, encoergent sibien les Meir, Baillifs, & Minist̃s avantditz, come celui qi les charg̃a, les peines & forfait̃es contenues en le dit tierce article.

D' locis & vicis p̃ Stapulis ordinand.

Item q̃ en chescune ville ou lestaple ꝑra tenue, soient ordenez ẽtiens rues & lieux, ou les leines & aut̃s marchandises ꝑront mis; et p̃ ce q̃ les Seign'rs ou Gardeins de mesons & lieux, veantz la necessite de Marchantz, mettront p̃ cas lour mesons a trop haute ferme, si avons ordene q̃ les mesons q̃ sont a lesser en tiele mañe, soient mis a resonable ferme, solonc lordenance du Meire & des Conestables de lestaple, & de quatre p̃des hõmes des meillours de la ville ou lestaple est, q̃ ꝑront jurez en p̃sence des ditz Meire & Conestables de faire loial taxe, si q̃ p̃ defaute de mesons lestaple ne soit mie empeschee; et q̃ nul hõme q̃ amesne ses laines ou aut̃s marchandises illoeqes, ne soit destourbe de herb̃ger meismes les laines & marchandises, en les mesons queles il av̄a issint allowe.

Qd̄ ñcatores p̃ debitis contr̄actib; & t̃nñ alioꝝ non impetant̃.

Item q̃ nul Marchant estrange soit emplede ou empesche p̃ autri t̃spas, ou p̃ autri dette, dount il nest pas detto' plegge ou meinpnour; p̃veu totes voies q̃ si noz ligez gentz, Marchantz ou aut̃s, soient endamages p̃ ascuns Seign's destranges t̃res ou leur subgitz, & les ditz Seignours duement requis faillent de droit a noz dites gentz, nous eions la lei de Mark & de rep̃sailles, come ad este use devant ces heures, saunz fraude ou mal ẽngin: et en cas q̃ debate sourde, q̃ dieu defend, entre nous & ascuns Seign's de estrange t̃re, si ne volons mie q̃ les gentz & Marchantz de la dite t̃re soient sodeinement subduz, deinz noz ditz roialme & t̃res, p̃ cause de la dite debate; einz qils soient garniz & p̃clamacion ent publie, qils voident les ditz roialme & t̃res, od leur biens, franchement deinz xl. jours ap̃s le garnissement & p̃clamacion issint faites, et q̃ en le meen temps ils ne soient de rien empeschez, ne destourbez de leur passage, ou de leur p̃fit faire de meismes les marchandises, sils les veullent vendre: et en cas q̃ p̃ defaute de vent ou de navie, ou p̃ maladie ou autre cause evidente, ils ne poent voider noz ditz roialme & t̃res deinz si brief temps, adonqes, ils eient autre xl. jours, ou plus si mestiere soit, deinz quel temps ils purront passer covenablement, ou leur Marchandises vendre come devant est dit.

Provided always, That no Minister nor other, by colour of such Search, shall make Impeachment or Disturbance to any Merchant Stranger to grieve him unduly; and that all the false Money that may be found by Search, or in other Manner espied within the same our Realm and Lands, in Deceit of our good Money, shall be forfeited to Us, according to the Ordinances another Time thereof made.

All false Money forfeited to the King.

XV. Of carrying Wools to the Staples by fresh Waters, or Arms of the Sea.

ITEM, We will and establish, That they that have Wools, Leather, Fells, and Lead, in the Country betwixt the Places where the Staples be and the Sea, and the same will cause to be carried to the Staples by fresh Waters, or by Arms of the Sea, shall make Indenture betwixt them and the Bailiffs of the Towns where they put them in Ship, testifying how much Wools, Leather, Fells, and Lead is so put in Ship; and the Bailiffs of the Places shall take an Oath and sufficient Surety, for which they will answer, of them and the Mariners, that they shall go with the same Wools, Leather, Fells, and Lead to the Staple, and no Part elsewhere, and there shall discharge before they do enter the Sea; and that the Bailiffs send presently the one Part of the Indenture containing the Surety and the Quantity of the Wools, Leather, Woolfels and Lead, to the Mayor of the Staple, at their Costs that owe the Goods, by some Man for whom they will answer. And if any Mayor, Bailiff, or other Minister of the Places where such Merchandizes shall be [charged,[1]] suffer the said Merchandises to pass in other Manner, as well the Mayors, and Bailiffs and Ministers aforesaid, as the Merchants which the same shall [charge,[2]] shall incur the Pains and Forfeitures contained in the said Third Article.

See Chapter 3.

XVI. Of ordaining Places and Streets for Staples.

Houses therein shall be let at reasonable Rents.

ITEM, That in every Town where the Staple shall be holden, shall be ordained certain [Rews[3]] and Places, where the Wools and other Merchandises shall be put; and because that the Lords or Guardians of the Houses and Places, seeing the necessity of Merchants, do set percase their Houses at too high ferm, We have ordained, That the Houses which be to be leased in such Manner shall be set at a reasonable ferm, according to the Ordinance of the Mayor and Constables of the Staple, and of four discreet Men of the best of the Town where the Staple is, which shall be sworn in the Presence of the said Mayor and Constable to make a lawful Tax, so that for Default of Houses, the Staple shall not be impeached; and that no Man that bringeth his Wools or other Merchandises there, be disturbed to lodge the same Wools or other Merchandises in the Houses which they have so hired.

XVII. That Merchants be not impeached for the Debts, Contracts, and Trespasses of others.

Law of Marque and Reprisals. Merchants of Enemies' Countries, on War breaking out, to have Time to sell their Goods, and to depart.

ITEM, That no Merchant Stranger be (4) impeached for another's Trespass, or for another's Debt, whereof he is not Debtor, Pledge, nor Mainpernour; Provided always, That if our Liege People, Merchants or other, be indamaged by any Lords of strange Lands or their Subjects, and the said Lords, duly required, fail of Right to our said Subjects, We shall have the Law of Marque, and of [taking them again,[5]] as hath been used in Times past, without Fraud or Deceit: And in case that Debate do rise, which God defend, betwixt Us and any Lords of strange Lands, We will not that the People and Merchants of the said Lands be suddenly subdued in our said Realm and Lands because of such Debate; but that they be warned, and Proclamation thereof published, that they shall void the said Realm and Lands with their Goods freely, within Forty Days after the Warning, and Proclamation so made; and that in the mean time they be not impeached nor let of their Passage, or of making their Profit of the same Merchandises if they will sell them: And in case that for Default of Wind, or of Ship, or for Sickness, or for other evident Cause, they cannot avoid our said Realm and Lands within so short a Time, then they shall have other Forty Days, or more if need be, within which they may pass conveniently [with selling their Merchandise [6]] as afore is said.

[1] *laden* [2] *lade* [3] *Streets*
[4] empleaded or *MS. Tr.* 2. [5] Reprisail *MS. Tr.* 2.
[6] *or sell their Merchandises*

XVIII. That Men of Ireland and Wales may bring their Wools and Leather to the Staples of England.

ITEM, Because We do well perceive, That Merchants Strangers do not come so commonly into Ireland nor into Wales for to merchandise, as they do into England, We will of our special Grace, that it shall be lawful to the People of Ireland and Wales, which cannot utter their Wools, Leather, Woolfells and Lead in Ireland and Wales, to [all '] Merchants Strangers, to come with their said Merchandises, after that they be customed and cocketed in Ireland and in Wales, to any of our Staples in England which them shall please, bringing their Cockets, witnessing their Merchandises, which they shall discharge at the Staples in England; so that they when they shall come to the Staples in England, or they that bought their said Merchandises of them, shall not pay another Time, Custom nor Subsidy for the said Merchandises so customed in our said Lands of Ireland and Wales. And our Treasurer, and the Barons of our Exchequer of England, shall be certified two Times by the Year at the least, that is to say, at Easter and Michaelmas, how much Wools, Leather, Woolfels, and Lead shall pass out of the said Land of Ireland, and of the Custom thereof paid. And in case that the Merchants or other People of Ireland or of Wales, after that they be in the Sea with their said Merchandises, do pass to any Place other than to the Staples in England, they shall incur the Pains and Forfeitures in the said Third Article.

Penalty on carrying them elsewhere: *See Chapter 3.*

XIX. That the Goods of Merchants and others be not forfeited for the Default of their Servants.

ITEM, That no Merchant nor other, of what Condition that he be, shall lose or forfeit his Goods nor Merchandises for the Trespass and Forfeiture of his Servant, unless he do it by the Commandment or Procurement of his Master, or that he hath offended in the Office in which his Master hath set him, or in other Manner, that the Master be holden to answer for the Deed of his Servant by the Law-Merchant, as elsewhere is used. And because that Merchants may not often long tarry in one Place [for levying of their Merchandise,'] We will and grant, that speedy Right be to them done from Day to Day, and from Hour to Hour, according to the Laws used in such Staples before this Time holden elsewhere, at all Times when they will them complain of any, or that any will complain of them; so that the Merchants be not by Malice delayed for Default of speedy Remedy.

Speedy Justice shall be done to Merchants.

XX. Merchants Strangers shall have present Remedy for Grievances done to them; according to the Law-Merchant.

ITEM, Because we have taken all the Merchants Strangers [in '] our said Realm and Lands, into our special Protection, and moreover granted to do them speedy remedy of their Grievances, if any be to them done: We have ordained and established, That if any Outrage or Grievance be done to them in the Country, out of the Staple, the Justices of the Place where such Outrages shall be done, shall do speedy Justice to them after the Law-Merchant from Day to Day, and from Hour to Hour, without sparing any Man or to drive them to sue at the common Law; and if any be convict, that he hath grieved the Merchants so taken in our Protection, he shall be punished by Us for the Contempt done to Us, in as much as shall be judged to the Merchants for their Damages; and to the said Merchants Strangers their double Damages shall be judged.

XXI. Of the constituting of a Mayor and Constables, and of their Power.

ITEM, Because the Staples cannot long continue, nor the Ordinances thereof made and to be made, be kept, if good Executors and Justices be not established to make thereof good and ready Execution: We have ordained and established, That in every Town where the Staple is ordained, a Mayor good, lawful, and sufficient, shall be made and established, having Knowledge of the Law-Merchant, to govern the Staple, and to do right to every Man after the Laws aforesaid, without favour, sparing, or grief doing to any. And in every Place where the Staple is, shall be two conveniable Constables now at [his [4]] beginning placed by Us, to do that pertaineth to their Office as in other Staples is accustomed; and when they shall be dead or changed,

[1] *such* [2] *discontinuing their Traffic*

[3] comyng into *MS. Tr.* 2. [4] *the*

Item p' ce q̃ no⁹ pensons bien, q̃ les Marchantz estranges ne viegnent mie si cõement en Irlande & en Gales, p' marchander, come ils fount en Engletre, si volons de nře grace especiale, q̃ bien lise as gentz Dirlande & de Gales, q̃ ne purront deliver leur laines quirs, peaux lanutz & plomb, en Irlande & en Gales, a tieux Marchantz estranges, de venir od leur dites marchandises, aps ce q̃ els soient custumez & cokettez en Irlande & en Gales, a ascune de noz Estaples en Engletre, a quele q̃ leur plerra, portantz leur cokettes tesmoignantz leur marchandises qils deschargont a les Estaples en Engletre; issint q̃ eux, q'nt ils ſront venuz a les Estaples en Engletre, ne ceux qi leur dites marchandises achatont de eux illoeqes, ne paieront autrefoitz custume ne subside, p' les dites marchandises issint custumez en noz dites tres de Gales & Dirland. Et soient noz Tresorer & Barons de nře Escheqer Dengletre, certifiez deux foitz p an au meinz, Cestassavoir, a la Pasq & a la Seint Michel, comebien de laines, quirs, peaux lanutz & plomb passent hors de la dite tre Dirlande, & de la custume ent paie. Et en cas q̃ les Marchantz, ou aut's gentz Dirlande ou de Gales, aps ce qils soient en meer od leur dites marchandises, passent aillours q̃ a les Estaples en Engletre, encoergent les peines & forfait'es contenues en le dit tierce article.

de Hibn & Walt lanas suas & coria duce possint ad Staput Angl.

Item q̃ nul Marchant, nautre de quele condicion qil soit, pde ne forface ses biens & marchandises p' tspas ou forfait de son ſvant, sil net face p maundement ou abette de son Mestre, ou qil eit mespris en loffice en quel son Meistre lui ad mis, ou en autre mane q̃ le Meistre soit tenuz a respondre p' le fait son ſvant p la lei marchant, come p aillours est usee. Et p' ce q̃ Marchantz ne poent sovent longement dem'er en un lieu p' entrelesser leur marchandises, si volons q̃ hastive droit leur soit fait, de jour en jour & de heure en heure, solonc les leies usees en autieles Estaples, tenues avant ces heures p aillours, totes les foitz qils se vodront pleindre de nully, ou q̃ nul se vodra pleindre de eux; Issint q̃ les Marchantz ne soient p malice tariez p' defaute de hastive remede.

Qd bona mcatoꝝ seu alioꝝ non sint forisfca p defcu ſvientũ suoꝝ.

Item p'ce q̃ nous avons pris touz Marchantz estranges, venantz en noz ditz roialme & tres, en nře especiale pteccion, & outre g'nte de lour faire hastive remede des griefs, si nuls lour soient faitz; si avons ordene & establi, q̃ si nul outrage ou gref leur soit fait en pais hors de lestaple, les Justicers du lieu ou tiel outrage leur ſra fait, facent hastivement justice a eux, solonc la lei marchant, de jour en jour & de heure en heure, saunz desport faire a nully, ou de les mettre a suir a la cõe lei; et si nul soit convict, qil eit grevee les Marchantz, issint pris en nře pteccion, soit p' le contempt fait a nous puni dev's nous, en tant come ſra ajugge au Marchant p' ses damages; et soient ajuggez as ditz Marchantz estranges damages au double.

Qd celeris justicia fiat mcatoribꝫ.

Item p' ce q̃ les Estaples ne se purront mie longement tenir, ne les Ordenances ent faites & affaire estre gardez, si bones Executours & Justicers ne soient estabiliz p' faire ent bone & redde execucion, si avons ordene & establi, q̃ en chescune ville ou lestaple est ordene, soit fait & establi un Meire bon, loial, & sufficeant, eant conissance de la lei marchant, p' govnir lestaple & faire droit a chescun solonc les leies avantdites, saunz desport, favour ou gref faire a nully. I' soient aussint en chescun lieu ou lestaple est, deux Co - stables covenables, ore au comencement mis p nous faire ce qattient a leur office, en mane come en au e Estaple est accustume; Et q'nt ils ſront mortz

D' constitucõe Majoris & Constabular & potestate eoꝝdem.

chaungez, adonqes soient aũs esluz p la Cõalte des Marchantz du dit lieu; et q̃ nul Meire ne tiegne loffice outre un an, sil ne soit de novel eslu p la Cõalte de Marchantz, sibien estranges come denzeins: et q̃ les ditz Meire & Conestables eient poair de garder la pees, & darester les meffesours en les Estaples, p' ꝑspas, dette, ou p' autre contract, & les mettre en prison & punir solonc la lei de lestaple; et soit ordene une prison p' la sauve gard de eux qi ꝑront issint emprisonez; et soient les Meirs, Viscontz, & Baillifs des villes ou lestaple est, ou joignantz a lestaple, entendantz as Meire & Ministres de lestaple, de faire execucion de lour mandementz, s' peine de gref forfaiture; et soit un Seign', ou autre de plus sufficeantz du pais ou lestaple est, assigne de estre en eid as Meire & Minist's de lestaple, de justicer les rebelx, qi p les ditz Meire & Ministres ne p'ront estre justicez, & de les meintenir & conseiller, q'nt mestiere ꝑra a bone govnement de lestaple; [& de redrescer a chescuny pleinte ce q̃ ꝑra mespris p les ditz Meire ou Minist's ou aũs, & de faire droit as cõpleignanz en celle ptie.'] Et q̃ meisme les Meire & Conestables ne facent ne ordenent rien q̃ soit a contraire de cestes ordenances, ne ne facent inꝑpretacion ne excepcion a ycelles, autrement q̃ les pols ne p'portent; mes sil y ad rien q̃ soit en doute, soit monstree a nr̃e conseil & illoeqes soit declare p bone avys.

D'Correctar̃ in Stapla ordinatis.

Item nous avons ordene, q̃ en chescun lieu ou lestaple se tendra, soit ꝑtein nombre des Corecters, sibien destranges come de privez, ꝑdes hõmes, sufficeantz & sachantz de tieu meistere, p' loialment faire & recorder les bargaines entre les vendours et achatours, come ad este usee en aũs Estaples tenuz aillours; et qils troessent sufficeantz meinpnours, devant le Meire & Conestables de lestaple, de loialment faire ce q̃ attient a lour office; et sils soient trovez en defaut, paient atant a celui qi ꝑra endamagee come sa perte amounta; Issint qils ne se mellent de nulle mañe de marchandises, p' le temps qils demoerent en office; et q̃ nulli soit constreint davoir Corecter, sil nel voille avoir de gre, ne de paier rien a nul Corecter sil ne se melle de son bargain a sa request.

D' portitorib; & aliis ꝟvientib; in Staput.

Item q̃ ꝑtein nombre de portours, pakkers, gwynders, ovours, & aũs laborers de laines & de totes aũs marchandises, soit ordene sufficeantment p' le lieu ou lestaple est; et soient ils & les Corecters, & totes mañes des Officers de les Estaples, estre les Conestables, jurez devant le Meire de lestaple, qils loialment ferront leur offices, saunz fraude ou mal engin; et auxint soient touz Marchantz, denzeins & aliens, venantz as dites Estaples p cause de marchandie, jurez devant meismes les Meires & Conestables, qils ꝑront justiceables p les ditz Meire & Conestables, solonc la lei & usage de lestaple; & meintendront q'nq; en eux est lestaple, & les leis & usages dycelle saunz fraude ou mal engin; et les Meire & Conestables soient jurez en la Chancellerie, de faire loialment ce q̃ apptient a eux.

D' ꝑctis ñicatorib; eligẽ ad assidend cũ

Item nous volons & ordenons, q̃ les Marchantz estranges elisent deux Marchantz estranges, des queux, lun devs le Suth & lautre devs le North, soit assigne then other shall be chosen by the Commonalty of the Merchants of the said Places; and that no Mayor hold the Office over one Year, unless he be newly chosen by the Commonalty of the Merchants, as well of Strangers as of Denizens: * And that the said Mayor and Constables have Power to keep the Peace, and to arrest Offenders in the Staples for Debt, Trespass, or other Contract, and them to put in Prison, and punish after the Law of the Staple; and a Prison shall be ordained for the safe keeping of them that so shall be imprisoned; and the Mayors, Sheriffs, and Bailiffs of the Towns where the Staple is, or adjoining to the Staple, shall be attending to the Mayor and Ministers of the Staple, to do Execution of their Commandments, upon Pain of grievous Forfeiture; and one Lord or other of the most sufficiency in the Country where the Staple is, shall be assigned to be aidant to the Mayor and Ministers of the Staple, to [justify [1]] disobedient Persons, which by the said Mayor and Ministers cannot be [justified,[2]] and to maintain and counsel them when need shall be to the good Governance of the Staple; and to redress at every Man's Complaint that which shall be mistaken by the said Mayor or Ministers, or other, and to do Right to the Complainants in this Behalf.

[[3]And if any Merchant (*) will complain of the Mayor or of the Constables, that they have failed of Right, or shewed Favour against Reason to either of the Parties, it shall be speedily redressed by the Chancellor and our Council without Delay.[5]]

And that the same Mayor and Constables do not, nor ordain any Thing contrary to these Ordinances, nor make Interpretation nor Exception to them, otherwise than the Words do purport; but if there be any (*) that is doubted, it shall be shewed to our Council, and there declared by good Advice.

XXII. Of appointing Correctors in the Staple.

ITEM, We have ordained, That in every Place where the Staple shall be holden, there shall be a certain Number of Correctors, as well of Strangers as of Privies, good People, sufficient and having Knowledge of such Mystery, lawfully to make and record the Bargains betwixt the Buyers and the Sellers, as hath been used in other Staples holden in other Places; and that they find sufficient Mainpernors before the Mayor and Constables of the Staple, lawfully to do that pertaineth to their Office; and if they be found in Default, they shall pay to him that is indamaged as much as his Loss shall amount to; so that they meddle them not with any manner of Merchandise for the Time that they shall abide in the Office; and that no Man be constrained to have a Corrector unless he will of his own good Will, nor to pay any Thing to any Corrector unless he meddle of his Bargain at his Request.

XXIII. Of Porters and other Servants in the Staple.

ITEM, That a certain number of Porters, Packers, Winders, Workers, and other Labourers of Wools, and all other Merchandises, be sufficiently ordained for the Place where the Staple is; and they and the Correctors, and all manner of Officers of the Staple, [besides[7]] the Constables, shall be sworn before the Mayor of the Staple, that they lawfully shall execute their Office, without Fraud or Deceit; also all Merchants, Aliens and Denizens, coming to the said Staples because of Merchandise, shall be sworn before the said Mayor and Constables, that they shall be [justified[8]] by the same Mayor and Constables, according to the Law and Usage of the Staple; and shall maintain, as much as in them is, the Staple, and the Laws and Usages of the same, without Fraud or Deceit; and the Mayor and Constables shall be sworn in the Chancery to do lawfully that which pertaineth to them.

All the Officers and Merchants shall be sworn.

XXIV. For choosing certain Alien-Merchants to be associate

ITEM, We will and ordain, That the Merchants Strangers shall chuse two Merchants Strangers, whereof the one towards the South, and the other towards the

[1] *Rot. Ord: MS. Reg:* and *MS. Cott.* omit this Sentence, and read instead thereof the following: 'Et si nul Marchant [ou autre[2]] se ville pleindre du Meir ou Conestables, qils ont failli de droit, ou favour fait contre reson a nulle ptie, soit hastiement redresce p le Chaunceller & autres de nr̃e conseil sanz nulle delaie.' The oldest Printed Copies read the same as the Text. In *Rast.* 1557 both Sentences occur.

[2] *MS. Reg.* omits.

[1] *justice* [2] *justiced* [4] *or other*

[3]—[5] The oldest printed Translations and *MS. Tr.* 2 omit this Sentence.

[6] thing [7] *except* [8] justisable *MS. Tr.* 2.

* The Roll of the Staple from which this Ordinance is printed contains the Appointment of the several Mayors and Constables of the Staple throughout the Kingdom for every Year from the 27th to the 50th of King Edward III.

with the Mayor and Constables of the Staple.

North, shall be assigned to sit with the Mayor and Constables of the Staples where [some [1]] of those Persons chosen shall come, to hear the Plaints touching Merchants Aliens, that shall be moved before the said Mayor and Constables, at all Times that any of the said Persons chosen will be there, and to see that plain Right be done to the said Merchants Aliens; so that the said Mayor and Constables shall not cease to proceed in their Process, in case that those Persons chosen come not thither: And in case that Debate rise betwixt them, upon the discussing of any Plea or Quarrel, the tenour of the same Plea or Quarrel shall be sent before the Chancellor, and other of our Council, to be determined there without Delay. And also six Persons shall be chosen, that is to say, four Aliens, whereof two shall be of Almaigne, and two of Lombardy, and two of England, which shall be discreet Men, and worthy of Faith, and shall swear, that they shall well and lawfully execute their Office; that is to say, that when and at what Time any Question or Debate shall rise or come amongst Merchants of any unreasonable Wool, or undue packing according to the Covenants made betwixt the Sellers and the Buyers, that the said Persons, or four of them, may before the Mayor of the Staple and the Officers, by their Oath say and amend as reason will, and thereupon credence shall be given to them without any Contradiction.

Appeal to the Chancellor and the King's Council.

Six mediators of questions between Buyers and Sellers.

XXV. That Conspiracies and Confederacies be not made to the Distress of the Staple.

ITEM, We have ordained and established, That no Merchant or other shall make Confederacy, Conspiracy, Covin, Imagination, or Murmur, or evil Device in any point, that may turn to the Impeachment, Disturbance, Defeating, or Decay of the said Staples, or of any Thing that to them pertaineth or may pertain; and if any do, and thereof be attainted before the Mayor and Ministers of the Staple, or other whom We shall thereto assign, he shall incur the Pains and Forfeitures contained in the said third Article.

See Chapter 3.

XXVI. That Credit be given to the Letters or Papers of Merchant Strangers, or to their Oaths, of the Value of their Goods.

ITEM, Whereas it is contained in the Charter of our Grandfather, granted to the Merchants Strangers, and by Us confirmed, that of Merchandises which they shall bring into our said Realm and Land, and whereof Three-pence of the Pound ought to be paid by the said Merchants Strangers, according to the same Grant, Faith and Credence shall be given to them upon the Value of the said Merchandises by Letters, which they may shew of the same Goods of their Lords [and [2]] Companions; and if they have no Letters, they shall be believed by their Oath in this Behalf: And now of late it is [done [1]] Us and our Council to understand by the Complaint of the said Merchants, that albeit they have Letters testifying the Value of their Merchandises, the Sheriffs, Mayors, Bailiffs, and Ministers of many Places do constrain them to swear for the said Merchandises, against the form of their said Charter; and nevertheless after the Oath made, [unseal [4]] their Barrels, Fardels and Bales, for which they have taken their Oath, and the same let lie four or six Days so [unsealed [5]] before they will see the same, and so they take away from the said Merchants the Sale of their Goods, to their great Damage; We, not willing that the Merchants Strangers that come with their Merchandises into our said Realm and Lands, for the common Profit of the same, shall be in such Manner grieved, will, grant and establish, That the said Charter be holden; and that the Barrels, Fardels, and Bales, and the other Goods of the said Merchants, for which they have shewed their Letters that be not suspicious, or taken the Oath as it is contained in the same Charter, presently after the Oath taken, or such Letters shewed, their Goods shall be delivered to them without Delay, thereof to make their Profit, without any Thing taking of them over the Custom of Three-pence of the Pound; so that the Sheriffs, Mayors, Bailiffs, or other

[1] any *MS. Tr.* 2. [2] *or* [3] given *MS. Tr.* 2.

[4] enseal. [5] ensealed

de seer od les Meire & Conestables des Estaples, ou ascun des ditz eslutz vendra, doier les pleintes touchantz Marchantz aliens, q̃ ſront meues devant les ditz Meire & Conestaples, a totes les foitz q̃ ascun des ditz esluz y vodra estre, & de veer q̃ plein drôit soit fait as ditz Marchantz aliens; Issint q̃ les ditz Meire & Conestables ne cessent point daler avant en leur ꝑces, en cas q̃ tieux eslutz ne yviegnent pas: et en cas q̃ debate sourde pentre eux, s' discussion dascune ple ou querele, soit le tenour de celle ple ou querele maunde devant le Chanceller & aut̃s de nr̃e conseil, a ꝑminer illoeqes saunz delay. Et soient aussint esluz sys ꝑsones, cest assavoir, quatre des aliens dount deux soient Dalemaigne, & deux de Lumbardie, & deux Dengletre, qi soient ꝑdes hõmes & dignes de foi, & facent ſement de faire bien & loialment leur Office; Cest assavoir, q̃ q'nt & a quele heure ascune question ou debate sourdra ou avendra entre Marchantz, dascune nounresonable leine, ou dascune noundue empakkure, solonc les covenantz faites [ou [1]] lachatour & le vendour, q̃ les dites ꝑsones, ou quatre de eux, pussent devant le Meire de lestaple & ses Officers p lour ſement dire & amender sicome reson vodra, & a eux s' ce soit done credence saunz nul contredit.

Majore & Constabular̃ Stapule.

Item nous avons ordene & establi, q̃ [si [2]] nul Marchant ou autre face conspiracie, confederacie, covyne, machinacion, ou m'mure ou mal engyn, en nul point q̃ purra tourner a empeschement, destourbance, defesance, ou descrees des dites Estaples, ou de rien q̃ a eux apptient ou purra apptenir, ([3]) & de ce soit atteint devant le Meire & Ministres de lestaple, ou aut̃s queux nous a ce assignerons, encoerge les peines & forfaitures contenuz en le dit tierce Article.

Qd̃ conspiracões & confederacões non fiant in enꝟvacõem Stapule.

Item come il soit contenue en la Chre nr̃e ael, grantee as Marchantz estranges & ꝑ nous confermee, q̃ des Marchandises queles ils amesnont en noz ditz roialme & ꝟres, & des queux iij d. de la livre sont a paier ꝑ les ditz Marchantz estranges, solonc meisme le g'nte, soit done foi & credence a eux, s' la value des dites marchandises, ꝑ lr̃es queles ils purront monstrer de meismes les biens, de leur Seignours ou compaignons, et sils neient point des ꝟres qils soient cruz ꝑ leur ſement en celle ꝑtie: & ja done est a entendre a no & a nr̃e conseil, ꝑ la pleinte des ditz Marchantz, q̃ tout eient ils ꝟres tesmoignantes la value de leur Marchandises, les Viscontz, Meires, Baillifs, & Minist̃s de pluseurs lieux, les constreignent de jurer p' meismes les Marchandises, contre la forme de leur dite Chre; & jalemeins ap̃s le ſement faite ensealent leur bariles, fardeux & bales, p' queux ils ount fait leur ſement, & les lessent giser quatre jours ou sys issint ensealez, avant qils les voillent veer, & issint ils tolent as ditz Marchantz la vente de leur biens, a g'nt damage de eux; Nous nient voillantz q̃ les Marchantz estranges, qi viegnent od leur marchandises en noz ditz roialme & ꝟres p' cõe ꝑfit dycelles, soient en tiele maꝑe grevez, si volons, grantons & establissons, q̃ la dite chre soit tenue; & q̃ les bariles, fardeux & bales, & les aut̃s biens des ditz Marchantz & p' queles ils ount monstree leur ꝟres q̃ ne soient mie suspecionouses, ou fait le ſement, come il est contenue en meisme la chre, meintenant ap̃s le ſement fait, ou tieles ꝟres monstrez, soient leur biens deliv̄s a eux saunz delay, p' ent faire leur ꝑfit, saunz rien ꝑndre de eux outre la custume de iij d. de la livre; Issint q̃ les Meires, Viscontz, Baillifs, ou aut̃s

Qd̃ credat' ꝟris sive cartis ꝟicator̃ alienigenar̃.

[1] entre *Rot. Ord: MS. Reg: MS. Catt: Printed Copies.*

[2] *MS. Reg.* and *Printed Copies* omit.

[3] et si ascune face, *MS. Reg. Printed Copies.*

Ministres plus ne se mellent de meismes les biens, s' peine demprisonement & de paier a la ptie endamagee p celle cause ses damages a quatreble & tant a nous; & s' ce soit droit fait en la Chancellerie a chescuni pleinte.

D'punicõem illoꝝ qui lanas duxerunt extra regnũ ante istã ordinacõem.

Item nous avons ordene & establi q̃ touz ceux qi ꝺront convictz qils ount amesne laines, quirs & peaux lanutz as pties de dela encontre la defens & pclamacion ent faites avant la fesance de ceste ordenance, soient ajuggez a la prisone, & encoergent forfait'e de meismes les laines quirs & peaux issint passez, & touz leur aut̃s biens & chateux, & outre soient reintz a nr̃e volunte.

Item no⁹ volons g"ntons & ordenons, q̃ totes les choses susdites soient fermement gardez & tenues en toutz pointz, nient contresteant franchise, custume, privilege, exempcion, juggementz, ou aut̃s g"ntes faites as Citees, Burghs, Villes, Cõaltees gentz des cynq ꝑtz & aut̃s portz, ou aut̃s singulers psones q̃conqes: et en cas q̃ rien soit a amender, ajouster, chaunger ou retreer de nul des pointz avantditz en temps avenir p ꝺroie cause, nous volons q̃ ce soit fait p [bone [1]] deliberacion & avys des Grauntz & aut̃s de nr̃e conseil [en plement; [2]] Sauvant en aut̃s choses as Prelatz, Ducs, Countes, Barons, & aut̃s Seign'rs leurs foires, marchees, hundredes, wapentakes, letes, jurisdiccions, Courtes, franchises & privileges, & totes aut̃s choses a eux regardantz, es lieux ou les Estaples sont & ꝺront & aillours, aussi avant come ils les avoient avant q̃ les Estaples estoient ordenez. En tesmoignance de quele chose nous avons fait faire cestes noz ltres patentes. Doñ a Westm̃ le Lundy & an susditz.

[1] *MS. Reg.* and *Old Printed Copies* omit.

[2] Interlined on the Roll.—*Rot. Ord; MS. Reg.* omit:

Ministers, shall meddle no more of the same Goods, upon Pain of Imprisonment, and to pay to the Party grieved by this Cause his quatreble Damages, and as much to Us; and upon the same, Right shall be done in our Chancery at every Man's Complaint.

XXVII. Punishment of those which before this Statute did transport Wool.

ITEM, We have ordained and established, That all those that shall be convict that they have carried Wools, Leather, and Woolfels to the Parts beyond the Sea, against the Defence and Proclamation thereof made before the making of this Ordinance, shall be judged to Prison, and incur the Forfeiture of the same Wools, Leather and Woolfels so passed, and of all their other Goods and Chattels, and moreover be ransomed at our Will.

XXVIII. Liberties of the Staple confirmed; notwithstanding Franchises granted to corporate Cities or Towns.

General Saving of Liberties.

ITEM, We will, grant and ordain, That all the said Things be firmly kept and holden in all Points, notwithstanding Franchise, Custom, Privilege, Exemption, Judgments, or other Grants made to Cities, Boroughs, Towns, Commonalties, People of the Five Ports, and other Ports, or any other singular Persons whatsoever: And in case that any Thing be to be amended, added, changed, or withdrawn, of any of the said Points in Time to come for a true Cause, we will, that the same be done by ([1]) Deliberation and Advice of the great Men and other of our Council [in the Parliament: [2]] Saving in other things to the Prelates, Dukes, Earls, Barons, and other Lords, their Fairs, Markets, Hundreds, Wapentakes, Leets, Jurisdictions, Courts, Franchises, and Privileges, and all other Things to them pertaining, in the Places where the Staples be and shall be, and elsewhere, as far forth as they had them, before that the Staples were ordained.

In Witness whereof We have caused these our Letters Patents to be made. Given at Westminster the Monday and Year abovesaid.

[1] *good* [2] in Parlement *MS. Tr.* 2.

Ordinatio de feodis Majorum & Constabulariorum Stapule.

The Ordinance of the Fees of the Mayors and Constables of the Staple.*

Ex Rot. Stapule: de anno 28 *Edw. III. m.* 17.

D' sũmis Majoribꝫ & Constabular̃ Stapulaꝝ ꝑ officiis suis solvend.

PUR ce q̃ lestaple est ore de novel ordene a demorer ꝑpetuelement en Engleterre, & home ne avoit au comencement nulles evidences en ꝺtein, p quelles home purroit assigner ne limiter en ꝺtein ce q̃ les Meirs & Conestables, en les places la ou les Estaples sont ordenez, deussent ꝑndre p an en ꝺtein p' leur t"vaill; mes estoit adonqes assentuz p les Seign'rs & Cões, q̃ de chescun sac ꝺreient levez viij. d. p' le ꝑmer an, & livez as ditz Meires & Conestables, en les places la ou les dites Estaples sont assignez, quel ꝑmer an passa hors a la Goule Daugst darein passe: et ore viegnent tantes de laines ou bien pres au port de Londres, come fount en toutes les aut̃s Estaples ꝑmy le roialme; & as ascuns des aut̃s Estaples viegnent atantes de laines come a deux ou trois aut̃s places, si q, a une Estaple vient plus & a une autre meinz, issint q̃ les Meirs & Conestables dascunes places ꝑnent troꝑ, & en ascunes aut̃s trop pou, & le poeple est troꝑ chargee de paier viij. d. au sac come desuis est dit, eant regard a la sõme des laines q̃ passent outre meer: et tout le temps q̃ la dite Estaple estoit demorant outre meer, celui qestoit esleu Meire p les Marchantz Engleis, prist une ꝺtein

Of the Sums to be paid to the Mayors & Constables of the Staples for their Services.

FORASMUCH as the Staple is now of late ordained to abide perpetually in England, and at the beginning there was no Evidence in certain, by which a Man might assign or limit in certain that that the Mayors and Constables, in the Places where the Staples be ordained, ought to take by Year in certain for their Travail; but it was then assented by the Lords and Commons, That of every Sack should be levied, eightpence for the first Year, and delivered to the said Mayor and Constables, in the Places where the said Staples be assigned, which first Year passed out at the Gule of August last past: And now cometh as much Wools, or well nigh as much, to the Port of London, as do in all the other Staples through the Realm, and to some of the other Staples cometh as much of Wools, as to Two or Three of the other Staples, so that to one Staple cometh more, and to another less, so that the Mayor and Constables of some Places take too much, and in other Places too little, and the People be very much charged to pay Eight-pence of a Sack, as afore is said, having regard to the Sum of the Wools that passeth over the Sea: And all the Time that the said Staple was abiding beyond the Sea, he that [is [1]] chosen Mayor by the Merchants of England, did take a certain

[1] *was*

* These Titles are from the Printed Copies and Translations; some of which ascribe this Ordinance to the 28th year of this Reign: It is not inserted in *Rot. Ord.* 27 *Edw.* III: It was printed, in Cay's Edition of the Statutes, from *MS. Reg.* 19 *A. XIV*; and there is also a Copy in *MS. Cott. Nero C. I*; as of 27 Edw. III.

by the year; and also it were Reason that it should be so in England, and that in a reasonable manner, every Man according to his Travail, and that the People should not be so much charged: Wherefore It is ordained by the King and the great Men, and by the Advice of all the Council, That no more shall be levied of a Sack but four-pence in no [Part [1]] from the gule of August last past hitherto, nor from henceforth ([2]). And that the four-pence of the Sack, in every Place where the Staple is, shall be put in a Box, and sealed with the Seals of the Mayor and Constables, to the Intent that the said Mayor and Constables may be thereof paid of their certain, that they shall take; and if, at the End of the Year, more be found in the Box than the Fees of the said Mayor and Constables shall amount unto, it shall be safely kept, to pay and [perform [3]] the Fees of the Mayors and Constables in other Staples, where the iiii. d. will not thereto suffice; and if any Thing remain in the said Boxes after the Fees paid, the same Sum Residue shall be saved to the common Profit of the Merchants of the Staple for the Year to come, and for to pay for the Weights made of New, and also for [Payments [4]] and other Things necessary touching the Staple. And as much as is levied, in all the Places where the Staples be, over the said Sum of iiii d. of the Sack, after the said Gule of August last past, shall be rebailed and restored to the Uses aforesaid. And the Fees of the Mayor and Constables be ordained and limited in the Form as followeth, that is to say; The Mayor of the Staple of Westminster shall take C. li. ([5]) and every of the Constables there ten Marks. The Mayor of York, Kingston upon Hull, Norwich, and Winchester, every of them xx. li. and every of the Constables of the said Places a C. s; The Mayor of Newcastle upon Tine, Chichester, and of Exeter, x. li. and every of the Constables of those Places, five Marks. And if any of the Mayors and Constables above named, ([6]) refuse the Office, he shall pay to the Company as much as his Fee shall amount to ([7]). And Proclamation of the same was made through England the Sixth Day, &c.

For making Proclamation thereof.

And It was commanded to the Mayor and Constables of the Staple of Westminster, that the Ordinance aforesaid, and all and singular the Things in the same contained, in the Staple aforesaid they do cause to be proclaimed and firmly holden. Witness the King at Westminster, the Sixth day of November.

By the King himself and the Council.

In the same Manner it was commanded to the Mayors and Constables of the several Staples throughout England.

And It was commanded to the Sheriff of York, that the Ordinance aforesaid, and all and singular the Things in the same contained, in the Places in his Bailiwick, as well within Liberties as without, where he should see meet, he should cause to be publickly proclaimed and firmly holden. Witness as above.

In the same Manner it was commanded to the several Sheriffs throughout England.

In the same Manner it was commanded to the underwritten, under the same Date, viz.

To Henry Duke of Lancaster or his Steward, or to the Lieutenant of the said Steward, in the Duchy aforesaid.

To Thomas Bishop of Durham.

To Bartholomew Burghersh Constable of the Castle of Dover and Warden of the Cinque Ports, or his Lieutenant.

[1] Port *MS. Tr. 2.* [2] for the tyme to come *MS. Tr. 2.*

[3] *furnish* [4] *the Pavings*

[5] *and every of the Constables there twenty Pounds. The Mayor of Lincoln forty Marks,*

[6] *after that he be elected by the Merchants to be Mayor or Constable,*

[7] *by the year*

p an; & aussint ꝺroit il reson qils feissent en Engleterre, & ce en mesurable manere, chescun solonc son travaill, & q̃ le poeple ne feust taunt chargee: P quoi est assentuz p le Roi & les Grantz, p avys de tout le conseil, q̃ home ne ferra lever du sac forsq; iiij d. en nul port, de la goule daugst darein passe tanq; en cea, ne desore pr le temps avenir: et q̃ les quatre deniers au sac, en chescune place ou lestaple est, soient mys en une boyste & ensealez des sealx des Meire & Conestables, au fin q̃ les ditz Meire & Conestables pussent de ce estre paiez de leur dtein qils ꝑndront; et si au fin del an plus soit trovez en la boyste q̃ namonteront les fees des ditz Meire & Conestables, soit sauvemēt garde a paier & pfournir les feez des Meirs & Conestables en aus Estaples, la ou les quatre deniers ne veullent a ce suffire; et si rien demoert en les dites boistes aps les fees paiez, soit celle sōme residue sauve au cōmun pfit des Marchantz de lestaple, pr lan avenir, & pr paier pr les poys faitz de novel, & aussint pr [pauementz [1]] & aus choses necessaires touchantes lestaple. Et qnq; est leve en totes les places ou les Estaples sont, outre la dite sōme de quatre deniers au sac, puis la dite Gule Daugst darein passe, soit rebaillez & restitut al oeps susdit. Et les feez des Meirs & Conestables sont ordenez & limitez en la forme q̃ sensuit; Cest assavoir le Meire de lestaple a Weymonster, ꝑndra C. li. [& chescun des Conestables illoeqes, xx. li. le Meir de Nicole, xl. mar,[2]] et chescun des Conestables illoeqes x. mar, les Meirs de Everwyk, Kyngeston sr Hull, Norwicz, & Wyncestr, chescun xx. li. et chescun Conestable es dites places, C. s. les Meirs de Noef Chastel sr Tyne, Cicestr, & Dexestr, chescun x. li. et chescun des Constables illoeq̃s, v. mar. Et si nul des Meirs & Conestables susnomez, aps ce qil soit eslu p les Marchantz destre Meir ou Conestable, refuse loffice, paie a la compaignie ataunt come son fee amonteroit p an.

D' pclamacōe inde facienda.

[3] Et mand est Majori & Constabular Stapule Westm̄, qd ordinacōem ꝑdcam, & om̄ia & singula in eadem contenta, in stapula ꝑdca publice pclamari & firmit teneri fac. T. R apud Westm̄ vj. die Novembr.

p ipm Regem & consiliū.

Eodem modo mand est Majoribz & Constabular singulaz Stapulaz p Angl.

Et mand est vic Eborr qd ordinacōem ꝑdcam, & om̄ia & singula in eadem contenta, in locis in balliva sua tam infra libtates qam extam ubi expedire viderit, publice pclamari & firmit teneri fac. T. ut supa.

Eodem modo mand est singulis vicecomitibz p Angl.

Eodem modo mand est subscriptis sub eadem data, videlt.

Henr Duci Lancastr vel ejus Senescallo, aut ejusdem Senescalli locum tenenti in ducatu ꝑdco.

Th Epo Dunolm.

Barth de Burghershh Constabular Castri Devorr & Custodi quinq; portuū, vel ejus locum tenenti.[4]]

[1] {on an Erasure, apparently altered from paiementz. / pauementz. *MS. Reg.*: paiemtz *MS. Cott.*

[2] Old Printed Copies omit these Words.

[3]—[4] Et pclamacōn de cco soit fait p my Engl le vi. jour [de Novembre lan xxvij. *MS. Reg.*] [&c. *Printed Copies.*]

Anno 28° EDWARDI, III. A.D.1354.

In Margine Rotuli.

Statutum de anno vicesimo octavo Reg' E. tercij.

THE STATUTE OF THE TWENTY-EIGHTH YEAR OF KING EDWARD III.*

Ex magno Rot. Stat. in Turr. Lond. m. 14.

NOSTRE Seignour le Roi a son plement tenuz a Weymonster le Lundy pschein aps la feste de Seint Marc Lewangelist, lan de son regne Dengletre vint & oetisme, & de Fnce quinzisme, a lonr de Dieu & de Seinte Eglise, & pr cõe pfit de lui & de son poeple, de lassent des Prelatz, Princes, Ducs, Contes, Barons, & la Cõe de son roialme illoeqes assemblez, ad ordene & establi les points souzescriptz.

Premement q̃ la gnt Chartre & la Chartre de la Foreste, & touz auts estatutz avant ces heures faitz & usez, soient gardez & meintenuz en touz pointz.

Item, acorde est & establi, q̃ touz les Seignrs de la Marche de Gales soient ppetuelement entendantz & annexes a la corone Dengletre, come ils & leur auncests ount este de tout temps avant ces heures, & nounpas a la Principalte de Gales, en qi mains q̃ meisme la Principalte soit ou devendra aps ses heures.

Item, q̃ nul hõme, de quel estate ou condicion qil soit, ne soit oste de tre ne de teñ, ne pris, nemprisone, ne desheite, ne mis a la mort, saunz estre mesne en respons p due pces de lei.

Item prce q̃ Eschetours & autres Minists le Roi q̃ ount fait livee p mandement du Roi de sa Chancellerie, des tres & teñz q̃ estoient pris en la main le Roi p la mort des tenantz qi tindrent de lui, a les heirs, & auts, as queux les ditz tres & teñz devoient descendre, revtir, ou remaindre, ount este chargez en lescheqer des fermes & des rentes, dount les tmes des paiementz estoient avenir aps la livee faite, pr la rate & lafferant du temps q̃ meismes les tres ou teñz estoient en la main le Roi: Acorde est, q̃ des Manoirs, Citees, Burghs, villes, hundredes, fnchises & totes auts tres & teñz dount pfitz sourdent de temps en temps pmi lan, come de Molins, herbage, tolune, plees & purchaces de Court, & auts tieux issues & pfitz, chescun Eschetour, & autre Ministre qi tieux tres & teñz avont seisiz al oeps le Roi, soit tenuz de respondre au Roi pr la rate et lafferant du temps solonc launcien cours de Lescheqer; et q̃ daunciens fermes & rentes q̃ sont a paier as cteins tmes, come rente sec, & rente svice dount nul pfit sourde tanq̃ au jour du paiement, soient tieles fermes & rentes paiez a ceux qi enount la livee hors de la main le Roi, as tmes des paiementz des dites fermes & rentes q̃ ensuent aps tiele livee faite, sibien de temps passe come de temps avenir.

Item, acorde est & establi, q̃ feer fait en Engletre, & feer mesne en Engletre & illoeqs vendu, ne soit mesne hors du roialme Dengletre sr peine de forfaire le double dets le Roi; et eient les Justices assignez denquere de laborers, & auts Justices queux le Roi vodra a ce assigner, poer denquere de ceux qi vendent le feer a trop cher pris, & de les punir solonc la quantite de tspas.

OUR Lord the King, at his Parliament holden at Westminster, the Monday next after the Feast of St. Mark the Evangelist, the Year of His Reign, of England the Eight and twentieth, and of France the Fifteenth, to the Honour of God and of Holy Church, and for the common Profit of him and his People, by the Assent of the Prelates, [the Prince,[1]] Dukes, Earls, Barons, and the Commons of [this[2]] Realm there assembled, hath ordained and established the Points under written.

I. Charters and Statutes confirmed.

FIRST, That the Great Charter, and the Charter of the Forest, and all other Statutes before this Time made and used, be kept and maintained in all Points.

II. Lords of Marches of Wales, annexed to the Crown.

ITEM, It is accorded and established, That all the Lords of the Marches of Wales shall be perpetually attending and annexed to the Crown of England, as they and their Ancestors have been all Times past, and not to the Principality of Wales, in whose Hands soever the same Principality be, or hereafter shall come.

III. None shall be condemned without due Process of Law.

ITEM, That no Man of what Estate or Condition that he be, shall be put out of Land or Tenement, nor taken, nor imprisoned, nor disinherited, nor put to Death, without being brought in Answer by due Process of the Law.

IV. How the King shall be satisfied of the mean Rates of those Lands which come to his Hands by the Death of his Tenants.

ITEM, Because that Escheators and other the King's Ministers, which have made Livery by the King's Commandment from his Chancery, of the Lands and Tenements that were taken into the King's Hands by the Death of the Tenants, which held of him, [and[3]] the Heirs and other, to whom the said Lands and Tenements ought to descend, revert, or remain, have been charged in the Exchequer of the Ferms and the Rents, whereof the Terms of Payments were to come after such Livery made, for the Rate and Portion of the Time that the same Lands and Tenements were in the King's Hands: It is accorded and established, That of Manors, Cities, Boroughs, Towns, Hundreds, Franchises, and all other Lands and Tenements, whereof Profit doth rise from Time to Time through the Year, as of Mills, Herbage, Toll, Pleas and Profits of Courts, and all such Issues and Profits, every Escheator and other Minister, which hath seised such Lands and Tenements to the King's Use, shall be bound to answer to the King for the Rate and Portion of the Time, according to the old Course of the Exchequer; and that of ancient Ferms and Rents, which be to be paid at certain Terms, as Rent-Seck, and Rent-Service whereof no Profit riseth till the Day of Payment, such Ferms and Rents shall be paid, to them which have Livery out of the King's Hand, at the Terms of Payments of the said Ferms and Rents, which followeth after such Livery made, as well of the Time past, as of the Time to come.

V. Iron shall not be exported.

Price of Iron.

ITEM, It is accorded and established, That Iron made in England, and Iron brought into England, and there sold, shall not be carried out of the said Realm of England, upon Pain of forfeiting the Double to the King: And the Justices assigned [shall have Power[4]] to enquire of Labourers, and the other Justices whom the King will thereto assign, shall have Power to enquire of them that sell the Iron at too dear a Price, and to punish them after the Quantity of the Trespass.

[1] Princis *MS. Tr.* 2. [2] his [3] to [4] Omit these Words.

* In the old Printed Copies this is intituled 'Statutum apud Weſtmonaſterium de libertatibus Londoniarum:' and in *MS. Harl.* 4999, 'The Statute of Weſtminſter of the Liberties of London.' See Chapter 10 of the Statute.

VI Coroners shall be chosen by the Commons of the Counties.

ITEM, It is ordained and accorded, That all Coroners of the Counties shall be chosen in the full Counties by the Commons of the same Counties, of the most meet and most lawful People that shall be found in the said Counties to execute the said Office: Saved always to the King and other Lords which ought to make such Coroners, their Seigniories and Franchises.

VII. Sheriffs shall be removed from Office yearly.

ITEM, It is ordained and established, That the Sheriffs of the Counties shall be removed every Year out of their Offices; so that no Sheriff that hath been in his Office by a Year, shall abide in the same Office the Year next following; and that no Commission be made to him thereof, or renewed for the same Year following.

VIII. Attaint given in all Cases of Trespass.

ITEM, It is accorded, That the Writ of Attaint shall be granted from henceforth, as well upon a Bill of Trespass, as upon a Writ of Trespass, of Inquests which be to be taken *in* Time to come, without having Regard to the Quantity of the Damages.

IX. Commissions to Sheriffs, for taking Inquests to indict People, repealed and prohibited.

ITEM, Because that the People of the Realm have suffered many Evils and Mischiefs, for that Sheriffs of divers Counties, by virtue of Commissions and general Writs granted to them, at their own Suit, for their singular Profit to gain of the People, have made and taken divers Inquests to cause [to indict the People [1]] at their Will, and have taken Fine and Ransom of them to their own Use, and have delivered them, whereas such Persons indicted were not brought before the King's Justices to have their Deliverance: It is accorded and established, for to eschew all such Evils and Mischiefs, That all such Commissions and Writs before this Time made, shall be utterly repealed, and that from henceforth no such Commissions nor Writs shall be granted.

X. Penalty on the Mayor, Sheriffs, and Aldermen of London not redressing of Errors and Misprisions there.

ITEM, Because that the Errors, Defaults, and Misprisions which be notoriously used in the City of London, for Default of good Governance of the Mayor, of the Sheriffs, and the Aldermen, cannot be enquired nor found by People of the same City; It is ordained and established, That the said Mayor, Sheriffs, and Aldermen, which have the Governance of the same City, shall cause to be redressed and corrected the Defaults, Errors, and Misprisions above named, and the same duly punish from Time to Time upon a certain Pain; that is to say, at the first Default a thousand Marks to the King, and at the second Default, two thousand Marks, and at the third Default that the Franchise and Liberty of the City be taken into the King's Hand: And be it begun to enquire upon them at St. Michael next coming, so that if they do not cause to be made due Redress as afore is said, it shall be enquired of their Defaults by Inquests of People of Foreign Counties, that is to say, of Kent, Essex, Sussex, Hertford, Buckingham, and Berks, as well at the King's Suit as others that will complain. And if the [Mayors, [2]] Sheriffs, and Aldermen be by such Inquests [thereto assigned, [3]] indicted, they shall be caused to come by due Process before the King's Justices, which shall be to the same assigned, out of the said City, before whom they shall have their Answer, as well to the King as to the Party; and if they put [them in [4]] Inquests, the same Inquests shall be taken by Foreign People as afore is said; and if they be attainted, the said Pain shall incur and be levied of the said Mayor, Sheriffs and Aldermen, for Default of their Governance; and nevertheless the Plaintiffs shall recover [the [5]] Treble Damages against the said Mayor, Sheriffs, and Aldermen. And because that the Sheriffs of London be Parties to this Business, the Constable of the Tower, or his Lieutenant, shall serve in the Place of the Sheriffs to receive the Writs, as well Originals of the Chancery as Judicials, under the Seal of the Justices, to do thereof Execution in the said City; and Process shall be made by Attachment and Distress, and by Exigent, if need be; so that at the King's Suit the Exigent shall be awarded after the first Capias returned, and at the third Capias returned at the Suit of the Party. And if the Mayor, Sheriffs, and Aldermen have Lands or Tenements out of the City, Process shall be made against them by Attachments and Distresses in the

Trial of such Defaults shall be by Inqueſt of the adjoining Counties.

Constable of the Tower shall receive and execute Writs in such Cases.

Process of Attachment, Distress, and Exigent.

[1] *people to be indicted* [2] Mayor [3] Not in Original
[4] *themselves on* [5] their

Item, ordene est & establi q̃ touz Coroners des Countees soient esluz en pleins Contees, p les Cões de meismes les Contees, de plus covenables & plus loialx gentz q̃ ꝺront trovez es ditz Contees affaire le dit office; Sauve totes foitz au Roi & as auꝰ Seign's q̃ tieux Coroners deivent faire, leur Seign'ies & Fᵘnchises.

Item, ordene est & establi, q̃ les viscontz des Contees soient remuez chescun an hors de leur offices; Issint q̃ nul viscont, qad este en son office p un an, demoerge en meisme loffice lan ꝓscñ ensuant; et q̃ nulle cõmission lui ensoit faite ou renovele pʳ meisme lan suant.

Item, acorde est & establi q̃ brief datteint soit gⁿnte desore, sibien sʳ bille de ꝓspas, come sʳ brief de ꝓspas, des enquestes q̃ sont a ꝓndre en temps avenir, saunz avoir regard au quantite des damages.

Item, pʳce q̃ le poeple du Roialme ad suffert pluseurs malx & meschiefs, de ce q̃ viscontes de di�ꝰses Contees, p ꝰtue des cõmissions & briefs genꝺals a eux gⁿntez a leur seute demesne, pʳ leur singuler ꝓfit, de gaigner du poeple, ount fait & pris diꝰses enquestes de faire enditer les gentz a leur volunte, & ount pris fins & raunceons de eux a leur oeps demesne, & les ount deliꝰs saunz ce q̃ tieux enditez feussent mesnez devant les Justices le Roi, pʳ leur deliꝰance avoir: Acorde est & establi pʳ tieux malx & meschiefs eschure, q̃ touz tieux cõmissions & briefs, avant ces heures faitz, soient outrement repellez, & q̃ desore nulles tieux cõmissions ne briefs soient gⁿntez.

Item, pʳce q̃ les errours defautes & mesprisions q̃ sont notoirement usez en la Cite de Londres, pʳ defaute de bone goꝰnment du Meire, des Viscontes & des Aldermans, ne pʳront estre enquis ne trovez p gentz de meisme la Cite; Ordene est & establi q̃ les ditz Meire, Viscontes & Aldermans q̃ ount le goꝰnement de la dite Cite, facent redrescer & corriger les defautes, errours & mesprisions susnomez, & les duement punir de temps en temps, sʳ cteine peine; Cest assavoir au ꝓmer defaut Mˡ. mᶜr au Roi, & a la scꝺe defaut deux mill marcs, & a la tierce defaut, q̃ la franchise de la Cite soit pris en la main le Roi: & soit comence denquere sʳ eux a la Seint Michel ꝓschein avenir; Issint q̃ sils ne facent dues redrescementz come desus est dit, soit enquis de leur defautes p enquestes de gentz de foreins Contees, Cest assavoir de Kent, Essex, Sussex, Hertford, Buk, & Berk, sibien a la seute le Roi come dauꝰs qi pleindre se vodront. Et si les Meire viscontes & Aldermans soient p tieux enquestes enditez, soient faitz venir p due ꝑces devant les Justices le Roi, qi ꝺront a ce assignez, dehors la dite Cite, devant queux ils eient leur respons sibien au Roi come a la ꝑtie; et sils se mettent en enquestes, soient celles enquestes pris p gentz foreins, come desus est dit; & sils soient atteintz, soit la dite peine encurru, & leve des ditz Meire Viscontes, & Aldermans pʳ defaut de leur goꝰnement, & nientmeinz les pleintifs recoꝰent leur damages au treble ꝰs les ditz Meire Viscontes & Aldermans: et p cause q̃ les viscontes de Londres sont ꝑties a ceste busoigne, soit le Conestable de la Tour ou son lieutenant Ministre en lieu des Viscontes, a receivre les briefs, sibien originals de la Chancellerie come judicials souz les sealx des Justices, affaire ent execucion en la dite Cite; & soit ꝑces fait p attachementz & p destresces & p exigende si mestiere soit; Issint q̃ a la seute le Roi soit lexigende agarde apꝰs le ꝓmer Capias retourne, & a le tierce Capias retourne, a seute de ꝑtie. Et si les Meire, Viscontz & Aldermans eient ꝰres ou teñz dehors la Cite, soit ꝑces fait deꝰs eux p attachementz & destresces en meismes les

Contees ou les ꝛres & teñz sont: et q̃ chescun des ditz Meire, Viscontes & Aldermans q̃ vendra devant les dites Justices, respoigne singulerement p' lui meismes, sibien au pil des aut̃s qi sont absentz come de lui meismes: et ceste ordenance soit tenue ferme & estable, nient contreesteant franchise, privilege, ou custumes q̃conqes. Et se extend ceste ordenance as aut̃s Citees & Burghs du roialme ou tieux defautes & mesprisions sont usez & nemie duement corrigez ne redrescez; sauve q̃ les enquestes soient prises p̃ gentz foreins de meisme le Contee ou tieles Citees & Burghs sont; et q̃ la peine de ceux des Citees Burghs & villes, q̃ de ce ꝛront atteintz, soit ajugge p̃ descrecion des Justices q̃ a ce ꝛront assignez.

Item, p'ce q̃ g'nt clamour & grevouses pleintes sont faitz sibien p̃ aliens come p̃ denzeins q̃ Marchantz & aut̃s passantz p̃mi le roialme Dengleꝛre od leur marchandises & aut̃s biens, sont tuez & derobbez & meement ore plus qils ne soleient, dount remed̃ nad este fait as compleignantz; nr̃e Seign' le Roi, considerant le p̃fit q̃ p'ra avenir au dit roialme p̃ venue & demoere des Marchantz aliens en meisme le roialme, & les damages & meschiefs q̃ a eux & aut̃s sont faitz de jour en autre p̃ tieux homicides & robbies, & veullant p'voire a la seurte & indempnite des Marchantz & aut̃s susditz, ad ordene & establi p̃ assent de tout son plement, au fin q̃ Marchantz aliens eient greindre volunte & corage de venir en le dit roialme Dengleꝛre, q̃ remed̃ soit desore fait hastivement, as tieux Marchantz & aut̃s issint derobbez, solonc la forme contenue en lestatut nadgairs fait a Wyncestre; cest assavoir, q̃ solempnement crie soit fait en toutz Contees, Hundredes, Marchees, feires & touz aut̃s lieux ou solempne assemblee de gentz ꝛra, Issint q̃ nul p̃ ignorance se pusse excuser, q̃ chescune pais issint desoremes soit garde, q̃ meintenant ap̃s robbies & felonies faites soit fait fresshe seute de ville en ville, & de pais en pais; et enquestes soient auxint si mestiere soit prises en villes p̃ celui q̃ est soꝛein de la ville, & puis en hundredes franchises & en Contees, & ascune foitz en deux, trois ou quatre Contees, en cas q'nt felonies ꝛront faites en marches des Contees, Issint q̃ meffesours pussent estre atteintz. Et si le pais de tieu mañe de meffesours ne respoigne, la peine ꝛra tiele, q̃ chescune pais cest assavoir gentz en pais demorantz respoignent des robbies faites & des damages; issint q̃ tout le hundred ou la robbie ꝛra faite, ove les franchises q̃ sont deinz la p'ceinte de meisme le hundred, respoignent de la robbie faite; & si la robbie soit faite en divises de deux hundredes, respoignent ambedeux les hundredes ensemblement od les franchises: & plus long ẗme naꝛa le pais ap̃s la robbie faite ou felonie, q̃ quarant jours deinz les queux il covient qils facent gre de la robbie ou del meffait, ou qils respoignent des corps de meffesours.

Item, p' ce q̃ la mene gent du Roialme & pluseurs aut̃s se sont cõpleintz des grevances q̃ leur sont faites, de ce q̃ les p'veours nr̃e Seign' le Roi, ma dame la Roigne, du Prince, & des aut̃s, ount pris de eux leur biens vivres & vitailles, & les en ount baille tailles, assignantz a eux jour & lieu de receivre leur paiement, en foreins & lointismes lieux, ou ils ount despendu la value de la chose issint pris de eux ou le double, avant qils eient receu leur paiement, & sovent ount failli de tout; le Roi veullant p'voire de remed̃ contre tieles grevances, ad ordene & establi p' quiete & eese de son poeple, q̃ de totes p'veances q̃ sont ou ꝛront faites a son oeps ou al oeps dautri, deinz la soũme de vint souldz, same Counties where the Lands or Tenements be: And that every of the said Mayors, Sheriffs, and Aldermen which do appear before the said Justices, shall answer particularly for himself, as well at the Peril of other which be absent, as of himself: And this Ordinance shall be holden firm and stable, notwithstanding any Manner of Franchise, Privileges, or Customs: And this Ordinance shall extend to all Cities and Boroughs of the Realm where such Defaults or Misprisions be used, and not duly corrected nor redressed; saving that the Inquests shall be taken by Foreign People of the same County where such Cities or Boroughs be: And that the Pain of those of the said Boroughs and Towns, which shall be thereof attainted, shall be judged by the Discretion of the Justices which shall be thereto assigned.

Provisions hereof extended to all Cities and Boroughs.

XI. Increase of Murders and Robberies.

ITEM, Because that great Clamour and grievous Complaints be made, as well by Aliens as by Denizens, that Merchants and other passing through the Realm of England with their Merchandises and other Goods, be slain and robbed, and namely now more than they were wont, whereof Remedy hath not been made to the [Complaints;[1]] Our Lord the King, considering the Profit which may come to the said Realm by coming and abiding of the said Merchants Aliens in the same Realm, and the Damage and Mischief which to them and other is done daily by such Manslaughters and Robberies, and willing to provide for the Surety and Indempnity of Merchants and other aforesaid, hath ordained and established, by the Assent of all his Parliament, to the Intent that Merchants Aliens shall have the greater Will and Courage to come into the said Realm of England, [and[2]] that Remedy from henceforth be speedily made to such Merchants and other robbed, according to the Form contained in the Statute late made at Winchester; that is to say, that solemn [Cry[3]] be made in all Counties, Hundreds, Markets, Fairs, and all other Places where [solemn Assembly[4]] of the People shall be, so that none by Ignorance shall excuse him, that every Country from henceforth be so kept, that immediately after Felonies and Robberies done, fresh Suit be made from Town to Town, and from Country to Country; and Inquest, if need be, shall be also taken in the Towns by him which is Sovereign of the Town, and after in Hundreds, Franchises, and in the County, and some time in Two, Three, or Four Counties, in case when Felonies shall be done in the Marches of the Counties, so that the Offenders may be attainted. And if the Country do not answer of such Offenders, the Pain shall be such, that every Country, that is to say, the People dwelling in the Country, shall answer of the Robberies done, and of the Damages; so that all the Hundred where the Robbery shall be done, [or[5]] the Franchises which be within the Precinct of the same Hundred, shall answer of the Robbery done; and if the Robbery be done in the Division of two Hundreds, both Hundreds shall answer together with the Franchises: And longer Term shall not the Country have after the Robbery or Felony done, than Forty Days; within which them behoveth to [make Gree of[6]] the Robbery, or of the Offence, or that they answer of the Bodies of the Offenders.

Confirmation and Amendment of the Statute of Winchester, 13 Edw. I. chapter 1, 2.

XII.

ITEM, for that the mean People of the Realm, and divers others have complained of the grievances done to them, because the Purveyors of our Lord the King, ([7]) the Queen, and of the Prince, and of other, have taken of them their Goods, [Livings[8]] and Victuals, and thereof have delivered them Tallies, assigning to them a day and place to receive their Payment at foreign places and far off, where they dispended the value of the thing so taken of them, or the double, before that they have received their Payment, and oftentimes have failed of all; the King willing to provide a remedy against such Grievances, hath ordained and established, for the quietness and ease of his People, that of all Purveyances which be or shall be made to his use, or to any others use, within the Sum of Twenty Shillings,

Purveyances to the King's Use under xx s.

[1] Complainants [2] Omit this Word. [3] Proclamation
[4] great Resort [5] with [6] agree for
[7] my Lady *MS. Tr.* 2. [8] *Provisions*

shall be paid for directly: All others within a Quarter of a Year.

Payment shall be thereof made incontinently upon the Purveyance made, without delivering any Tally [for any Day or Place elsewhere to be thereof assigned;[1]] and that of other Purveyances made to the Sum of Twenty Shillings and above, Payment shall be made within a Quarter of a Year then next following after such Purveyances made, at certain Days and Places, according as it may be most for the Ease and less Travel of the People.

XIII. The Statute of the Staple 27 Edw. III. Statute 2, confirmed, with certain Amendments.

Stat. Stap. 27 Edw. III. c. 3.

Id. c. 8.

ITEM, It is accorded and established, That all the Ordinances made in the great Council holden at Westminster, the Monday next after the Feast of Saint Matthew the Apostle last past, together with certain Declarations and Additions made in this present Parliament be firmly kept and holden for a Statute to endure for ever, which Declarations and Additions do follow in this Manner: Whereas it is contained in the said Ordinances, That every Merchant that selleth his Wools at the Staple, shall be bound to warrant the packing of the same Wools: and if a Plea [of[2]] Debate be moved before the Mayor of the Staple, betwixt the Merchants or Ministers of the same, and thereupon to try the Truth thereof an Inquest or Proof [shall be[3]] taken, then if both Parties be Aliens, it shall be tried by Aliens; and if both Parties be Denizens, it shall be tried by Denizens; but if the one Party be Denizen, and the other Alien, half of the Inquest or of the Proof shall be of Denizens, and the other half of Aliens; and also that no Merchant, Privy nor Stranger, nor other of what Condition that he be, shall go by Land nor by Water to meet [such Ships charged with[4]] Wines, Wares, or other Merchandises coming into the Realm of England, nor other Lands of the King's, in the Sea, or elsewhere, for to forestall, buy, or in other Manner [giving them Earnest[5]] before that they come to the Staple, or to the Port where they shall be discharged, nor enter the Ships for such Cause till the Merchandises be set to Land [for to sell[6]]: It is accorded and established, That the Warranty of Packing of Wools, for divers Mischiefs which the Commons have thereof perceived, shall wholly be out; and that no Man be holden to make such Warranty, unless it be by covenant made by Deed ensealed. Also that no Man other than a Merchant Denizen or Alien, that knoweth (7) the Laws and Usages of the Staple, used (8) before that the said Ordinances of the Staple were made, shall be charged by the same Laws and Usages till they be declared in Parliament: And that in all Manner of Inquests and Proofs which be to be taken or made amongst Aliens and Denizens, be they Merchants or other, as well before the Mayor of the Staple as before any other Justices or Ministers, although the King be Party, the one half of the Inquest or Proof shall be (9) Denizens, and the other half of Aliens, if so many Aliens [and Foreigners[10]] be in the Town or Place where such Inquest or Proof is to be taken, that be not Parties, nor with the Parties in Contracts, Pleas, or other Quarrels, whereof such Inquests or Proofs ought to be taken; and if there be not so many Aliens, then shall there be put in such Inquests or Proofs as many Aliens as shall be found in the same Towns or Places which be not thereto Parties, nor with the Parties, as afore is said, and the Remnant of Denizens, which be good Men, and not suspicious to the one Party nor to the other: And that no Manner of Ship, which is fraught towards England or elsewhere, be compelled to come to any Port of England, nor [here[11]] to abide, against the Will of the Masters and Mariners of the same, or of the Merchants whose the Goods be: And if such Ships come of their own good Will, or be driven by Tempests, or other Misfortune or Mischief, to any Port in England,

Id. c. 11.

Warranty of Packing of Wools repealed.

All Inquests shall be de Medietate Linguæ, whereever Aliens are Parties.

The Freedom of Alien Merchants secured in coming to England and selling their Goods.

[1] or day or place therof elliswher assigning; *MS. Tr.* 2.
[2] or
[3] is to be
[4] Not in Original.
[5] to give earnest upon them,
[6] to be sold
[7] not
[8] bi elliswher *MS. Tr.* 2.
[9] of *MS. Tr.* 2.
[10] Omit these Words.
[11] there *MS. Tr.* 2.

paiement en soit fait meintenant s^r la p^rveance faite, saunz taille bailler, ou jour & lieu aillours ent assigner; et q̃ dauꝰ p^rveances faites, de la soũme de vint souldz & outre, paiemẽt soit fait deinz le quarter del an ꝑschein ensuant apꝰ les p^rveances faites, as ꝛteins jour & lieu solonc ce qils purront estre plus eisez & a meindre t^rvaill du poeple.

Ensement, acorde est & establi q̃ totes les ordenances faites en g^ant conseil tenuz a Weymonsꝰ, le Lundy ꝑschein apꝰs la feste de Seint Matheu Lapostle darrein passe, ensemblement ove ascunes declaracions & ajoustances faites en ceste ꝑsent ꝑlement, soient fermement gardez & tenuz p^r estatut a durer a touz jours; queles declaracions & ajoustances sensuent en ceste maꝛe:

* Come contenue soit en les dites ordenances q̃ chescun Marchant q̃ vend ses leines a lestaple soit tenuz de garanter lempakkure de meismes les leines; et q̃ si ple ou debate soit meu devant le Meire de lestaple, entre les Marchantz ou Miniſtꝛs dycelle, & s^r ce p^r trier ent la ꝑite, enqueste ou proeve soit apꝑndre, si lune ptie & lautre soit estrange, soit trie p estranges, & si lune ptie & lautre soit denzein, soit trie p denzeins, et si lune ptie soit denzeine & lautre aliene, soit lune moite del enqueste ou del ꝑve de denzeins & lautre moite des aliens; Et aussint q̃ nul Marchant prive ne estrange nautre de quele condicion qil soit, aille p ꝑre ne p ewe dencontrer vins, ꝛces, nautꝰ marchandises venantz en le roialme Dengleꝑre, nen autꝰ ꝑres du Roi, en meer naillours, p^r les forstaller, achater, ou en autre maꝛe arrer, avant qils viegnent a lestaple ou au port ou ils ꝑront deschargez, ne entre les niefs p tiele cause tanq̃ les marchandises soient mises a la ꝑre p^r vendre: Acorde est & establi q̃ la garrantie dempakkure de laines p^r diꝑses meschiefs q̃ la cõe en ad sentu soit de tout ouste; et q̃ nul hõme soit tenuz affaire tiele garrantie, sil ne soit p covenant taille p fait ensele: et aussint q̃ nul hõme autre q̃ Marchant denzein ou alien q̃ ne conust les leis & usages de lestaple usez p aillours devant q̃ les dites ordenances de lestaple estoient faites, soit chargee p meismes les leis & usages, tanq̃ els soient declarrez en ꝑlement: et q̃ en tote maꝛe denquestes & proeves q̃ sont a ꝑndre ou affaire entre aliens et denzeins, soient ils Marchantz ou autꝰ, sibien devant le Meire de lestaple, come devant q̃conq̃ autꝰ Juges ou Ministres, tout soit le Roi ptie, soit la moite del enquest ou del prove de denzeins, & lautre moite des aliens, si tantz des aliens soient en la ville ou lieu ou tiele enqueste ou prove soit apꝑndre, q̃ ne soient mie pties ne od les pties, en contractes, plees, ou autꝰ quereles dount tieles enquestes ou proves deivent estre pris; et si tantz des aliens ne ysoient point, adonq̃s soient mis en tieux enquestes & proeves tantz des aliens come ꝑront trovez en meismes les villes ou lieux, q̃ a ce ne soient pas pties, ne od les pties come devant est dit, & le remanant de denzeins q̃ soient ꝑdes hõmes & nient suspecionouses a lune ptie ne a lautre: et q̃ nulle maꝛe de nief q̃ soit frette devꝰ Engleꝑre ou aillours, soit artee de venir a nul port Dengleꝑre, ne ydemorer, contre le gre des Meistꝰ & Mariners dycelle, ou des Marchantz as q̃ux les biens sont; et si tieux niefs viegnent de gre, ou soient chacez p tempest, ou autre infortune ou meschief, a ascun port Dengleꝑre,

* The following Part of this Statute, relating to the Staple, is entered on *Rot. Stap.* 28 *Edw. III. m.* 20, as a separate Act of 28 *Edw. III.* and intituled 'Declaraco quoꝺam Articuloꝝ Stapule.' It is also inserted in the Manuscript Collection of Statutes M. m. v. 19. in the Library of the University of Cambridge, as a separate Act of 28 Edw. III; and is marked 'Ex^r p rotlm Staple.'

& les Meistrs Mariners, ou Marchantz de meismes les niefs, veullent vendre & deliver ptie de leur marchandises p leur bone volunte, bien lise a chescuny tieles marchandises achater franchement, saunz empeschement en le port ou tieles niefs vendront, tout ne soient les marchandises mises a la tre pr vendre: Issint totes foitz q̃ nul Marchant nautre ne voise p tre ne p ewe dencontrer tieles niefs chargez de marchandises, de forstaller meismes les marchandises, ou de les arrer p voie de forstallerie, sr les peines contenues en le tierce article des dites ordenances; si q̃ les Meistrs, Mariners & Marchantz aps ce qils avont issint vendu ce q̃ leur plerra de leur ditz biens, & paie ent la custume, pussent franchement deptir & aler, ove leur niefs & tout le remanant de leur biens p la ou leur plerra, saunz custume ent paier: et q̃ nul de quele condicion qil soit p art ne p engyn ne face ne mette destourbance a nulle nief chargee de marchandie de venir a nul port Dengletre, forsq, au port ou les Meistrs, Marins & Marchantz veullent plement de gre arriver; ne aps ce qils sront arrivez se melle de la vente de meismes les marchandises, ne ne destourbe les Marchantz ne leur svantz qils ne pussent meismes p leur mains ppres solonc ce q̃ meultz leur semblera pr leur pfit demesne, vendre & deliver leur marchandises a quele heure & as queux q̃ meultz leur plerra; et si nul y mette destourbance, encourge gref forfaitre devs le Roi solonc la quantite du tspas.

Item, acorde est & establi q̃ monstreson de laines soit faite a lestaple chescun jour de la simeigne, forspris le dimenge, & les solempnes festes del an; et q̃ nulle monstreson ne vente de laines ne soit faite environ lestaple de trois lewes, fors tantsoulment a lestaple, sr la peine contenue en le tierce article des dites ordenances de lestaple; sauve totes foitz q̃ chescun Seignr & autre hme q̃ marchant pusse franchement herbger, monstrer & vendre ses laines q̃ sont de sa ppre cressance, en sa meson demesne ou aillours ou lui plerra.

Aussint, acorde est & establi q̃ lestaple de Weymonster comence sa bounde a Templebarre, & se extend tanq, a Totehill; & aussint en aus Citees & villes, ou les Estaples sont, soient les boundes de meismes les estaples deinz les mres ou les Citees & villes sont mrees ou encloses; et en les Citees & villes, q̃ ne sont pas mrez ne encloses, soient les boundes des dites Estaples pmy tote la ville.

and the Masters, Mariners, or Merchants of the same Ships will sell or deliver Part of their Merchandises with their good Will, it shall be lawful for every Man to buy such Merchandises freely without Impeachment, in the Port where such Ships shall come, albeit the said Merchandises be not put to Land to sell; So always that no Merchant nor other shall go by Land nor by Water to meet such Ships charged with Merchandises, to forestall the same Merchandises, or [to give them Earnest [1]] by Way of forestalling, upon the Pains contained in the third Article of the said Ordinances; so that the Masters, Mariners, and Merchants, after that they have sold that which pleaseth them of their said Goods, and paid thereof the Custom, may freely depart, and go with their Ships and all the remnant of their Goods whither it shall please them, without Custom thereof to be paid: And that none, of what Condition that he be, by Art or Engine, [shall disturb [2]] any Ship charged with Merchandises to come to any Port of England, but to the Port where the Masters, Mariners, and Merchants will first of their free Will arrive; nor, after they have arrived, shall meddle with the Sale of the same Merchandises, nor disturb the Merchants nor their Servants, that they may not themselves by their own Hands, according as to them best shall seem for their Profit, sell and deliver their Merchandises at what Time and to whom it shall them best please; and if any set Disturbance, he shall incur a grievous Forfeiture to the King according to the Quantity of the Trespass.

Penalty on forestalling Foreign Merchandize.

Customs shall be paid only for Goods sold.

ITEM, It is accorded and established, That shewing of Wools shall be made at the Staple every Day of the Week, except the Sunday and solemn Feasts of the Year; and that no shewing nor sale of Wools be made within three Miles about the Staple, but only at the Staple, upon the Pain contained in the third Article of the Ordinance of the Staple: Saving always that every Lord and other Man than a Merchant, may freely lodge, shew and sell his Wools, which be of his own growing, in his own House or other Place where pleaseth him.

XIV. Shewing of Wools at the Staple; on what Days; within what Distance of the Staple. Saving of Home-grown Wools.

ITEM, It is accorded and established, That the Staple of Westminster shall begin his Bound at Temple-bar, and extend to Tutehill; and also in other Cities and Towns where Staples be, the Bounds of the same Staples shall be within the Walls, where the Cities and Towns be walled or enclosed; and in the Cities or Towns, which be not walled nor inclosed, the Bounds of the said Staples shall be through all the City or Town.

XV. Bounds of the Staples.

[1] *to give Earnest upon them*
[2] make nor set disturbance to

Anno 31° EDWARDI, III. A.D. 1357.

In Margine Rotuli.

Statut' editū apud Westm' die Lune p'x' post septimanā Pasche, Anno xxxj.

THE STATUTE MADE AT WESTMINSTER, THE MONDAY NEXT AFTER THE FEAST OF EASTER, IN THE THIRTY-FIRST YEAR.

Ex magno Rot. Stat. in Turr. Lond. m. 13.

AL honr de Dieu & de Seinte Esglise, si est acorde p nre Seignr le Roi, Prelatz, Countes, Barons, & tote la cõe du roialme Dengletre, en cest psent plement, tenuz a Westñ le Lundy pschein aps la symayne du Pasq, lan du regne nre dit Seignr le Roi Edward, Dengletre trent & primer & de France disoitisme.

En primes q̃ la gnte Chartre & la Chartre de la Foreste soient fermement gardes, tenuz, usez & executz en touz pointz.

STATUTE THE FIRST.

TO the Honour of God and Holy Church, It is accorded by our Lord the King, the Prelates, Earls, Barons, and all the Commonalty of the said Realm of England, in [the [1]] Parliament holden at Westminster the Monday next after the Week of Easter, the Year of the Reign of our Lord King Edward, of England the one and thirtieth, and of France the xviii.

I. Charters confirmed.

FIRST, That the Great Charter and the Charter of the Forest be firmly kept, holden, used, and executed in all Points.

[1] this present *MS. Tr.* 2.

II. The Price of Wools shall not be abated by Covin.

ITEM, Whereas at the grievous Complaint of the Commons of the Realm of England, it was shewed, that the Merchants which buy Wool in Fairs and Markets, and other Places, by Covin and Consent betwixt them, do abate the Price of Wools, and use other Weight than is ordained by the Statute before this Time, in Annoyance of the People; It is accorded and established, That Proclamation be made through the Realm, that no Merchant do such Covin, upon a grievous Forfeiture; and if any do against the same after the Proclamation, the King shall assign his Justices to enquire at the Suit of the Party of all that do such Covin, and to hear and determine for the King and for the Party. And that certain Balances and Weights of Sack, Half Sack, and Quarter, Pound, Half Pound, and Quarter, according to the Standard of the Exchequer, be sent to all Sheriffs of England, betwixt this and the Nativity of St. John next coming; so that they, such Balances and Weights received, shall make open Proclamation thro' all their Counties, that every Man that will have such Balances and Weights, shall come to the Sheriff before Michaelmas, to make their Balances and Weights according to the said Standard at their Costs, without any Thing giving to the Sheriff for to have Assay or Example of the said Balances and Weights; and that from [henceforth [1]] none shall sell nor buy by other Weight, and if any do against the same, he shall be punished by Fine at the King's Will.

Standard Balances and Weights shall be sent to every County.

III. Discharge of Estreats of Felons' Goods in the Exchequer.

ITEM, If any Man or Town be charged in the Exchequer, by Estreats of the Justices, of the Chattels of Fugitives and Felons, and will alledge in Discharge of him another which is chargeable, he shall be heard, and [Right done to the other.[2]]

IV. Extortion of Bishop's Officers on Probate of Testaments. The Bishops shall amend the same; or the King's Justices shall enquire thereof.

ITEM, Whereas the Ministers of Bishops and other Ordinaries of Holy Church, take of the People grievous and outragious Fine for the Probate of Testaments, and for the making of Acquittances thereof; the King hath charged the Archbishop of Canterbury, and the other Bishops, that they cause the same to be amended; and if they do not, It is accorded, That the King shall cause to be inquired by his Justices of such Oppressions and Extortions, to hear them and determine them, as well at the King's Suit, as at the Suit of the Party, as in old Time hath been used.

V. The Contents of a Tun of Wine, and the gauging thereof.

ITEM, Whereas it is ordained by a Statute, That the Tuns of Wine ought to contain a certain Number of Gallons, according to the old Gauge, and now they be diminished for Default of the Gauger's Office evil used, to the great Damage of the People; It is accorded and established, That the said Statute shall be holden and kept in all Points; and moreover, if any sell a Tun or Pipe of Wine not gauged, that the said Seller shall forfeit the same Wine, or the Value to the King.

VI. *See Statute 25 Edw. III. st. 2. c. 6.*

Fines from Labourers given to Lords of Franchises.

ITEM, Whereas by a Statute late made it was ordained, That the Issues, Fines, and Amerciaments of Servants, Artificers, and other Workmen, judged before Justices of Labourers, should be to the King after the three Years of the triennial Quinzime then granted to the King by the Commons of the Realm: It is accorded and assented, That the Lords of Franchises, which have Issues, Fines, and Amerciaments of Labourers, by Point of Charter or in other Manner, shall from henceforth have the said Fines, Issues, and Amerciaments, ([3]) that to [him [4]] pertaineth, as long as the [justice [5]] of Labourers doth endure. So always that the said Lords make Contribution to the Payment of the Fees of such Justices of Labourers, according to the Rate of the Profits that they do take.

VII. Statute of Labourers extended to London, &c.

Justices assigned to try Offences against the Staple.

ITEM, It is accorded, That the Statute of Labourers be as well holden in the City and the Suburbs of London, and in the Five Ports, and all manner other Franchises, as elsewhere in England: And that the King assign his Justices to enquire, hear, and determine of those that have [brought [6]] Wools, Leather, and Woolfels to the Parts beyond the Sea, and thereof have done Covin and Excess, and otherwise attempted against the Ordinances and the Form of the Statute of the Staple.

[1] *thenceforth*
[2] *moreover Right be done.*
[3] of Laborers *MS. Tr.* 2.
[4] them
[5] Justiciarie
[6] carried

Item come a la gref compleinte de la cõe du roialme Dengletre soit monstre, q̃ les Marchauntz qi achatent laines en feyres & marchez & aillo's p covyne & consent entre eux, abbessent le pris de laynes, & usent autre pois q̃ nest ordine p estatut devant ces heures, en arerissement du poeple; Si est acorde & establi q̃ pclamacion soit faite p tote le Roialme, q̃ nul Marchaunt face tiele covyne s' gref forfait'e; si nul face a lencontre aps la pclamacion faite, le Roi assignera ses Justices denquere a suyte de ptie de touz qi font tiele covyne, & doier & ̃miner p' le Roi & p' la ptie. Et q̃ cteines belaunces & pois, de sac, dimy sac & quarter, livre, dimy livre & quart'on, acordauntz a lestandard de lescheqier, soient mandez as touz viscontz Dengletre, entre cy et la Nativite Seint Johan pschein aven, Issint qils receues les dites belances & pois, facent pclamacion p touz lour Counteez, q̃ chescun qi voudra av tieu belances & pois viegne au viscont devant le Seint Michel, de faire lour belances & pois acordantz au dit estandard, a lour coustages, saunz rien don au visconte p' lassay ou lensample des dites belances & pois av; & q̃ desadonqes nul ne vende nachate p autre pois, et si nul face a lencountre soit puny p fyn a la volente le Roi.

Item, si nul hõme ou villee soit charge en lescheqier, p estrete des Justices, des chateux des futifs & de felons, & voet allegger en descharge de lui autre q̃ soit chargeable, soit oi & outre fait droit.

Item, come les minist's des Evesqes, & aut's ordinairs de seinte Esglise, pregnent du poeple grevouses & outrageouses fynes, p' le peve des testamentz, & p' les acquitances ent faire; le Roi ad charge Lercevesqes de Cant'birs & les aut's Evesqes qils en a mettent amendement; & sils ne facent, acorde est q̃ le Roi fra enquere p' ses Justices des tieux opssions & extorsions, & de les oier & ̃miner, sibien a la suyte le Roi come de ptie come auncienement ad este use.

Item, come ordine soit p estatut, q̃ les tonelx de vin duissent conten cten nombre des galons solonc launciene gauge, & ore ils sont amenusez p defaute del office de gauge malement use, a g'nt damage du poeple; Acorde est & establi, q̃ le dit estatut soit tenu & garde en touz pointz; & outre ceo si nul vende tonel ou pipe de vin nient gauge, q̃ le vendour forface mesme le vin ou la value de's le Roi.

Item, coment q̃ p estatut nadgairs fait fuist ordine, q̃ les issues fins & amciments des svantz, artificers & aut's ovours, ajuggez devant Justices des laborers, sroient au Roi aps les trois anns de la quinzisme triennale, adonqes g'nte au Roi p la cõe de son roialme; Acorde est & assentu, q̃ les Seign's des fraunchises, qi ont fins issues & amciementz p point de chartre ou en autre mane, eient desore enavant les dites fins issues & amciementz des laborers, q̃ a eux apptiegnent de droit, tant come la Justicie des laborers dure: Issint totes voies q̃ les ditz Seign's facent contribucion a paiement des feez de tieux Justices des laborers, solonc lafferant des pfitz qils enpndront.

Item, acorde est q̃ lestatut des laborers soit aussibien tenuz en la Citee & les Suburbes de Loundres & en les Cynk portz & aut's franchises qeonqes come aillo's en Engletre: & q̃ le Roi assigne ses Justices denquere & doier & ̃miner, de ceux qi ont amesnez laines quirs & peaux lanutz as pties de dela, & ent fait covyne & excesses, & autrement attempte contre les ordinances & la forme de lestatut de lestaple.

Item, acorde est & assentu p^r cõe ꝑfit & ese du poeple q̃ chescun Marchant & autre, sibien alien come denzein, puisse amen̄ as ꝑties de dela q̃ soient de lamiste le Roi, laines quirs & peaux lanutz, del quint jour de Maij p̄schein aven̄, tanq̃ a la feste de Seint Michel p̄schein seuant, paiant p^r chescun sak cynqant souldz, & p^r trois Centz peaux lanutz atant, & p^r le last des quirs Cent soldz, p^r la custume & subside dicels: et q̃ nul Marchant nautre qi achate laines face autre refuys des laines q̃ ne soleit estre fait devant ces heures; cest assav̄ de Cot, Gare & vileine tuson; et q̃ chescun sac contiegne vint & sis peres, & chescum pere quatorze livres, solonc le pois de lestandard de Lescheqier, & nemy plus ne meins: et q̃ totes les laines peaux & quirs, achatez en paiis soient amenez a les estaples, & illoeqes demoergent a meins quinz jo^rs; & si eles ne puissent illeoqes estre venduz ou deliv̄s deinz les quinz jo^rs, soient amesnez as portz ordines p^r les estaples, a passer dilleoqes as ꝑties susdites, paiantz les custumes & subsids avantdites: & q̃ nulles lains vendables soient herb̄gez monstrez ne vendues deinz trois lewes de lestaple, forsq̃ en mesme lestaple; sauve q̃ chescun Seign^r, & autre hõme q̃ marchaunt, puisse fraunchement herb̄ger monstrer & vendre ses laines q̃ sont de sa ꝑpre cressaunce en sa meson demesne & aillo^rs ou lour plerra.

Item, acorde est & establi q̃ les Chaunceller & Tresorier qi p^r temps s̄ront, ove lavis dau^ts du conseil le Roi, eient poer dalloigner le t̄me du passage des laines, q^ant ils v̄ront q̃ meister s̄ra.

Item p^r ceo q̃ les pesson̄s, Bochers, Pole^ts, & au^ts vendours des vitailles en la Citee de Loundres, ꝑ color dauscunes chartres, & par malveis int̄pretacion des ascunes estatutz faitz en avantage du poeple q̃ chescun hõme porra franchement vendre ses vitailles sanz destourbance, saunz ceo q̃ Maire, viscontes, ou au^ts Ministres se deivent meller de la vente; Acorde est & assentu q̃ chescun hõme q̃ amene vitailles, queu qils soient, al a dite Cite ꝑ t̄re ou ꝑ eawe les puisse franchement vendre a qi q̃ lui plerra, sanz estre destourbe ou empesche ꝑ pessoner, Bocher, Poleter, ou autre quicunqes; et q̃ les Maire & Aldermans de la dite Cite puissent reuler & redrescer les defautes des pessoners, Bochers, & Pole^ts, come ils font ceux qi vendent pain, vin & v̄vois; nient contresteant chartres de franchises, estatutz, custumes, ou au^ts privileges, faitz ou usez a cont^re: et q̃ les dites Maire & Aldermans le facent & mettent en execucion, s^r peine nadgairs ordine tochante la Cite de Londres, Issint q̃ le punissement des tieux ne soit faite ꝑ cause de singuler ꝑfit.

Item, acorde est & assentu q̃ en cas ou hõme devie intestat, les ordinairs facent dep̄ de plus p̄scheins & plus loialx amis du mort intestat, p^r administrer ses biens; les queux deputez eient accion a demander & recov̄er come executo^rs les dettes dues au dit mort intestat, en la Court le Roi, p^r administrer & despendre p^r lalme du mort; et respoignent auxint, en la Court le Roi, as au^ts as queux le dit mort estoit tenuz & obligez, en mesme la ma^nre come executo^rs respondront; et soient accountables as ordinairs, si avant come executo^rs sont en cas de testament, sibien de temps passe come de temps avenir.

Item, acorde est et establi q̃ en touz cas touchauntz le Roi ou au^ts ꝑsones, ou hõme se pleinte derrour fait [en ꝑces^r] en Lescheqier, les Chaunceller & Tresorer facent venir devant eux, en ascune chambre du conseil [joust Lescheqier,[2]] le record du ꝑces hors de Lescheqier,

[1] [2] } Interlined on the Roll.

ITEM, It is accorded and assented, for the common Profit and Ease of the People, That every Merchant and other, as well Alien as Denizen, may [bring [1]] to the Parts beyond the Sea, which be of the King's Amity, Wools, Leather and Woolfels, from the fifth Day of May next coming to the Feast of St. Michael next ensuing, paying for every Sack fifty Shillings, and for three hundred Woolfels fifty Shillings, and for the last of Leather an hundred Shillings, for the Custom and Subsidy of the same: And that no Merchant nor other that buyeth Wools, shall make other Refuse of Wools than was wont to be made in Times past, that is to say, of Cote, Gare, and Villain Fleeces; and that every Sack contain twenty-six Stones; and every Stone fourteen Pound, according to the Weight of the Standard of the Exchequer, and no more nor less: And that all the Wools, Fells, and Leather bought in the Country, shall be brought to the Staples, and there shall abide at the least fifteen Days; and those that may not there be sold or delivered within the fifteen Days, shall be brought to the Ports ordained for the Staple, to pass from thence to the Parts aforesaid, paying the Customs and Subsidies aforesaid: And that no Wools vendible shall be lodged, shewed, or sold within three Miles of the Staples, but in the same Staple; saving that every Lord and other Man saving a Merchant, may freely lodge, shew and sell his Wools which be of his own growing, in his own House and elsewhere, as shall please him.

VIII. Exportation of Wool permitted for a limited Time.

Refuse of Wool.

Contents of Sack and Stone of Wool.

Wools brought to the Staple, if not sold within Fifteen days, may be exported, &c.

ITEM, It is accorded and assented, That the Chancellor and Treasurer which for the Time shall be, by the Advice of other of the King's Council, shall have Power to defer the Term of Passage of Wools when they see that need is.

IX. The Council may prolong the Term of Exportation.

ITEM, Because that the Fishers, Butchers, Poulters, and other Sellers of Victuals in the City of London, by Colour of some Charters, and by evil Interpretation of some Statutes made in Advantage of the People, that every Man may freely sell his Victuals without Disturbance, and that no Mayor, Sheriffs, or other Minister ought to meddle of the Sale; It is accorded and assented, That every Man that bringeth Victuals, whatsoever they be, to the (2) City, by Land or by Water, may freely sell the same to whom it shall please him, without being interrupted or impeached by Fisher, Butcher, Poulter, or any other; and that the Mayor and Aldermen of the said City may rule and redress the Defaults of Fishers, Butchers, and Poulters, as they do of those that sell Bread, Wine, or Ale, notwithstanding Charters of Franchise, and Statutes, Customs, or other Privileges made or used to the contrary: And that the said Mayor and Aldermen do the same, and put it in Execution, upon the Pain late ordained touching the City of London, so that the Punishment of such be not made in Respect of any singular Profit.

X.

The Mayor and Aldermen of London may reform the Defaults of Victuallers there.

[*See Statute* 28 *Edw. III. chapter* 10.]

ITEM, It is accorded and assented, That in case where a Man dieth intestate, the Ordinaries shall depute the next and most lawful Friends of the dead Person intestate to administer his Goods; which Deputies shall have an Action to demand and recover as Executors the Debts due to the said Person intestate in the King's Court, for to administer and dispend for the Soul of the Dead; and shall answer also in the King's Court to other to whom the said dead Person was holden and bound, in the same Manner as Executors shall answer; and they shall be accountable to the Ordinaries, as Executors be in the Case of Testament, as well of the Time past as the Time to come.

XI. The Ordinary shall commit Administration upon an Intestacy.

The Administrators shall have the same Rights and Charges as Executors.

ITEM, It is accorded and established, That in all Cases touching the King, or other Persons, where a Man complaineth of Error made in Process in the Exchequer, the Chancellor and Treasurer shall cause to come before them in any Chamber of Council nigh the Exchequer, the Record of the Process out of the Exchequer

XII. Error from the Exchequer shall be examined by the Chancellor and Treasurer.

[1] carry [2] *said*

(1) taking to them the Justices and other sage Persons, such as to them seemeth to be taken; and shall also cause to be called before them the Barons of the Exchequer, to hear their Informations, and the Causes of their Judgements, and thereupon shall duly examine the Business; and if any Error be found, they shall correct and amend the Rolls, and after send them into the Exchequer for to make thereof Execution as pertaineth.

XIII. The King's Pardon to the Commons of the Escapes and Chattels of Felons.

ITEM, Our Sovereign Lord the King, considering the good Aids of the Commons of his Realm often made to him, and the [Grants [2]] and divers Charges, which they have suffered because of Wars and other Adversities, which before this Time hath happened: In relief of the said Commons he hath pardoned and released to them all the Escapes of Thieves and Felons, and Chattels of Felons, and of Fugitives before this Time fallen, which be not yet judged before the Justices or put in Estreats; and also all the Amerciaments not affered, whereof the Commonalty of the County, Hundred, or Town ought or might in common and not particularly [against [3]] the King or his Heirs in the Eyre of the Justices hereafter for all the Time past be charged, and as much as pertaineth to the King of Escapes, Chattels, and Amerciaments aforesaid, except the Escapes of Clerks convict out of the Prison of the Prelates, their Ordinaries; and thereupon hath granted to the Commonalty of every County a Charter of this Pardon quit of the Fee of the Seal, which to him pertaineth: For which Pardon and Release the said Commons have granted to our Sovereign Lord the King a Quinzime yearly to be levied and gathered in the Manner as the last Quinzime granted to the King was levied; and to be paid at the Feasts of Saint Michael and Easter, next coming, by even Portions; and our said Sovereign Lord the King hath granted to the said Commons, that for the said Quinzime so granted, no Gold shall be demanded nor levied to the Use of the Queen, but that the said Commons shall be thereof wholly discharged; and also the King hath granted, that such Escapes and Chattels, being in the Hands of the King's Ministers and of other singular Persons, which be in Life, shall be judged before the Keepers of the Peace in every County of England by Presentment, as well as before Justices in Eyre; and the Estreats shall be made by Indenture betwixt them and the Collectors of the Quinzime, delivered to the same Collectors, to levy to the Use of the Commons in Aid of their Payment of the same Quinzime; so that the same Collectors make thereof Distribution amongst the Towns after the necessity of every of the same, and (4) surveying and Ordinance of the same Justices.

A Grant to the King of a Fifteenth;

Free from Queen-gold.

XIV. Escapes of Thieves, Chattels of Felons, &c. shall be levied, as they fall.

ITEM, It is accorded, That the [Escape [5]] of Thieves and Felons, and the Chattels of Felons and of Fugitives, and also Escapes of Clerks convict out of their Ordinaries' Prison, from henceforth to be judged before any of the King's Justices, shall be levied from Time to Time, as they shall fall, as well of the Time past as of the Time to come.

XV. *Magna Carta* 25 *Edw. I. chapter* 35.

ITEM, Whereas in the Great Charter it is contained That no Sheriff nor his Bailiff shall make his Turn [by Hundreds, [6]] but two Times in the Year, [in a Place due [7]] and accustomed, that is to say, once after Easter, and another Time after Michaelmas; and now divers of the Commons have grievously complained them, that some Sheriffs make their Turns oftentimes in Lent, when Men ought to intend Devotion, and other Works of Charity, for Remedy of their Souls; and sometime after the Gule of August, when every Man almost is occupied about the cutting and entring of his Corn, whereby the People [perceived [8]] them much grieved and disquieted: Our Lord the King, desiring the Quietness of his People, hath ordained and stablished, That every Sheriff from henceforth shall make his Turn yearly, one Time within the Month after Easter, and another Time within the Month after Saint Michael; and if they hold them in other Manner, that then they shall lose their Turn for the Time.

The Sheriff's Tourn shall be held within the Month after Easter and Michaelmas.

[1] and *MS. Tr.* 2. [2] *great* [3] *unto*
[4] by *MS. Tr.* 2 [5] Escapes *MS. Tr.* 2.
[6] in the Hundred, [7] in due Place [8] perceiveth

& prises a eux Justices & auꝛs sages tieux come loꝛ semblera q̃ sont apꝛndre; & facent auxint appeller devant eux les Barons de Lescheqier pꝛ oier lour informacions & les causes de loꝛ juggement, & sꝛ ceo facent duement examiner la busoigne; & si ascun errour ysoit trove, le facent corriger, & amendre les roules, & puis reenvoier les en lescheqier pꝛ faire ent execucion sicome apptient.

Item, nr̃e Seignr le Roi considerant les bones eides q̃ les cões de son roialme lui ont sovent fait, & les gnntz & divses charges qils ont suffert, p cause des guerres & auꝛs advsites q̃ sont einz ces heures avenuz, si ad en relevement des dites cões pdone & relesse a eux totes eschapes des larons & de felons, & chateux des felons & de futifs, avant ces heures echeuz, q̃ ne sont unqore ajuggez devant Justices, ou mis en estrete; & aussint touz anciementz nient affirez, dount la cõalte du Countee, hundred, wapentak, ou villee devoit ou purroit, en cõe & nemye pticulerment, devs le Roi ou ses heirs en Eyre des Justices, apꝛs ces heures pꝛ tut le temps passe estre charge, & q̃ntq̃ apptient au Roi des eschapes chateux & anciementz susditz, forspris les escapes des Clercz convictz, hors des prisons des Prelatz loꝛ ordinairs; et sꝛ ceo ad gnte a la cõalte de chescun Countee chartre de cel pdoun quite du fee de seal q̃ a lui apptient: Por queu pdoun & reles les dites cões ont gntez a nr̃e Seignr le Roi une quinzisme annale, a levꝛ & coiller en manꝛe come le darreine quinzisme gnte au Roi estoit leve; & a paier a les festes de Seinte Michel & de Pasq̃ pscheins avenir p oweles portiouns; et nr̃e Seignr le Roi ad gnte as dites cões, q̃ pꝛ la dite quinzisme issint gnte nul or soit demande ne leve al oeps la Roigne, einz soient mesmes les cões ent en tout deschargez: et aussint le Roi ad gnte q̃ tieux eschapes & chateux esteantz en les mains des Minists le Roi & dauꝛs singulers psones q̃ sont en vie, soient ajuggez devant gardeins de la pees en chescune Countee Dengletꝛre, p psentement, aussint come devant Justices en Eyre; & soient les estretes, p endentꝛe faite entre eux & les coillos de la quinzisme, livez a mesmes les coillos, a levꝛ al oeps de la cõe en eide de lour paiement de la dite quinzisme; Issint q̃ mesmes les Coillos facent en distribucion entre les villees, solonc la necessite de chescune dicelles, & p sꝛveue & ordinance de mesmes les Justices.

Et outre ceo est acorde, q̃ les eschapes de larons & felons, & les chateux des felons & des futifs, & aussint eschapes des Clercs convictz hors de prison de lour ordinairs, desore ajugger devant qecunq̃s Justices nr̃e Seignr le Roi, soient levez de temps en temps come ils escherrent; sibien de temps passe come de temps avenir.

Item, come en la gnt chartre soit contenu, q̃ nul visconte ou son Baillif face son tourn̄ p hundred, forsq̃ deufoitz en lan, en lieu due & acustume, cest assavꝛ unefoitz apꝛs le Pasq̃ & autrefoitz apꝛs le Seint Michel; & ore plusours de la cõe se ont grevousement compleint qascuns viscontes font sovent lour tourns en Quaresme, qntz hõme devoit entendre a devocion & auꝛs oevres de charite, pꝛ remed de salme, & a la foitz apꝛs la gule d'Augst qnt chescun apoi est occupie entour le sciere & lentrere de ses bledz; p quoi le poeple se sent mold grevez & deseisez: nr̃e Seignr le Roi, desirant la quiete de son poeple, ad ordine & establi, q̃ chescun visconte desore face son tourn̄ annuelment, unefoitz deinz le Mois apꝛs Pasq̃, & autrefoitz deinz le Mois apꝛs le Seint Michel; & sils le tiegnent en autre manꝛe qadonq̃s ils pdent lour tourn̄ pꝛ le temps.

R Vic Midd saltm. Quedã ordinacões et statuta p nos, Prelatos, Duces, Comites, Barones, & Cõitatem regni nri Angl, in pliamento nro apud Westm, die Lune px post septimanam Pasche px prito tento, p cõi utilitate dci regni fcas, tibi mittim[9] sub pede sigilli nri; tibi pcipientes qd dca ordinacões & statuta in pleno Com tuo, & aliis locis in balliva tua, in locis ubi melius expedire videris, publice pclamari & quantũ in te est firmit teneri & ab aliis observari, fac. T.R. apud Westm primo die Augusti.

p ipm Regem & consiliũ.

Cons bria dirigunt singlis Vicecomitibz p Angl sub eadem dat.

THE King to the Sheriffs of Middlesex, Greeting. Certain Ordinances and Statutes, by Us, the Prelates, Dukes, Earls, Barons, and the Commonalty of our Realm of England, in our Parliament holden at Westminster on the Monday next after the Week of Easter last past, for the common Weal of the said Realm made, We do send unto you under our Seal; Commanding you, that the said Ordinances and Statutes in your full County Court, and in other Places in your Bailiwick where you see meet, you do cause to be publicly proclaimed, and, as much as in you is, to be firmly kept and observed by others. Witness the King at Westminster the First Day of August. By the King himself and the Council.

The like Writs are directed to the several Sheriffs throughout England, under the same Date.

In Margine Rotuli.

Ordinacio facta de allece vendend'.

An ORDINANCE made concerning the selling of HERRINGS.

Ex magno Rot. Stat. in Turr. Lond. m. 13. *d.*

PORCE q la Cõe du Roialme Dengletre, en plement tenuz a Westm le Lundy pschein aps la symaygne de Pasq, lan du regne nre dit Seignr le Roi Edward Dengletre trente prim, & de Fraunce disoitisme, sad pleinte a nre Seignr le Roi, q p cause q les gentz de Grant Jernemuth encontrent les peschours, menantz harang a la dite ville en temps de feyre, & achatent & forstallent le harang, avant qil veigne a la ville; & auxint les hostillers de mesme la ville, qi herbgent les peschours venantz illoeqes ove lour harang, ne veullent soeffrir les ditz peschours vendre lour harang, ne meller de la vente dicels, einz le vendent a lor volunte demesne, si cher come ils veullent, & donent as peschours ceo q lor plest; p quoi les peschours se retrehent de ven illoeqes, & issi est le harang mis a plus grant chierte q unqes ne fust; a grant damage nre Seignr le Roi, des Seignrs & de tout le poeple; p quoi nre Seignr le Roi, veant le meschief en celle ptie, p assent des grantz & de tout la cõe, ad ordine & establi remedie sr les ditz meschiefs, en la fourme q sensuyt:

Primement q nul harang soit vendu nachate en mier, tanq les peschours soient venuz en haven ove lor harang, & q la corde de la nief soit trete a la tre.

Item q les peschours soient franks de vendre lour harang, as totes gentz q veignent a la feyre de Jernemuth, saunz nulle destourbance de lour hostilers ou autrs qconqes; et qnt les ditz peschours veullent vendre en port lor marchaundises, eient lor hostilers ovesq eux sils y veullent estre, & en lor psence, & en psence dautres marchantz en apt, vendent lor marchandises [a qi q lour plerra; et si autrs marchantz psentz veullent av pt des dites marchandises,'] eit chescun q claime sa pt pr le pris, solonc lafferant, de mesmes les marchandises issint venduz; & soit la dite vente faite du solaill levant tanq a soleill recours, & nemie devant ne aps, sr forfaitre de mesmes les marchandises: et q les ditz peschours soient franks dachat lour vitailles, & ceo q lour besoigne, ou q lor plerra. Et q nul hostiler nautre nachate nul harang, pr pendre en meson, p covine ne en autre mane, plus haut la last de xl. sould, mes meins en tant come il poet, solonc ceo qil porra acorder ove le vendour; et q nul hostiler, ne nul de lor vallettz, ne nul autre qi q ceo soit, venant a la dite feyre, naille p mier ne p tre de forstaller le

[1] *Old Printed Copies* omit.

STATUTE THE SECOND.

FORASMUCH as the Commons of the Realm of England, at the Parliament holden at Westminster, the Monday next after the Week of Easter, the Year of the Reign of our [Lord the King, Edward the Third[1]] of England xxxi, and of France xviii, have complained them to our Lord the King, because that the People of Great Yarmouth do encounter the Fishers bringing Herring to the said Town in the Time of the Fair, and do buy and forestall the Herring before they do come to the Town; and also the Hostelers of the same Town, that lodge the Fishers coming thither with their Herring, will not suffer the said Fishers to sell their said Herring, nor meddle with the Sale thereof, but sell them at their own Will as dear as they will, and give to the Fishers that [2] pleaseth them, whereby the Fishers do withdraw themselves to come thither; and so is the Herring set at much greater Price than ever it was, to the great Damage of our Lord the King, of the Lords, and of all the People: Wherefore our Lord the King, seeing the Mischiefs in this Behalf, by the Assent of the Great Men and all the Commons, hath ordained and stablished Remedy upon the said Mischiefs, in the Form as followeth.

I. Herrings shall not be forestalled at Sea.

FIRST, That no Herring be bought or sold in the Sea, till the Fishers be come into the Haven with their Herring, and that the Cable of the Ship be drawn to the Land.

II. The Order and Time of bringing and selling of Herrings at the Fair of Great Yarmouth.

ITEM, That the Fishers be free to sell their Herring to all that come to the Fair of Great Yarmouth, without any Disturbance of their Hostelers, or any other; And when the Fishers will sell their Merchandises in the Port, they shall have their Hostelers with them, if they there will be, and in their Presence, and the Presence of other Merchants, openly shall sell their Merchandises [and that every Man claim his Part for the taking[3]] after the Rate of the same Merchandises so sold; and the said Sale shall be made from the Sun-rising till the Sun going down, and not before nor after, upon Forfeiture of the same Merchandises: And that the said Fishers be free to buy their Victuals, and that which they need, where shall please them. And that no Hostelers, nor other, buy any [4] for to hang in their Houses by Covin, nor in other Manner, at an higher Price the Last than Forty Shillings, but less in as much as he may, according as he may agree with the Seller; And that no Hostelers nor any of their Servants, nor any other whatsoever he be, coming to the said Fair, shall go by Land nor by

The Price of a Last of Herring.

There shall be no forestalling of Herring.

[1] *said Lord the King, Edward,* [2] that *MS. Tr.* 2.

[3] *to whomsoever they please; and if other Merchants present are willing to have part of the said Merchandizes, let every one who claims have his part for the price,*

[4] *Herring*

The Time of buying fresh Herring.

Vessels shall not enter to enhance the Fair.

The Oath and Duty of Hostelers.

The Hundred of Herring, Six Score; and the Last Ten Thousand.

The Prices of Herring, and the Gains thereby.

The Barons of the Five Ports shall govern the Fair of Great Yarmouth.

Sea to forestall Herring privily nor openly, but the Herring shall come freely unsold unto the Haven: Nor that any [Pyker [1]] make buying of fresh Herring in the Haven of Yarmouth, betwixt the Feasts of Saint Michael and Saint Martin, upon Pain of Imprisonment at the King's Will, and to forfeit all the Herring so bought. And that no Vessel called Pyker of London, nor of none other Place, shall enter into the said Haven [to abate [2]] the Fair in Damage of the People, upon the Pain of Forfeiture of their Vessel, and all their Chattels found within. And that all the Hostelers be sworn before the Wardens of the said Fair, and enjoined upon a great Forfeiture to the King, to receive their Guests well and conveniently, and to aid and ease them reasonably, taking of every Last that shall be sold to other Merchants than to the said Hostelers, 40 d; and that of Herring sold to the same Hostelers to [take [3]] in their Houses, the same Hostelers shall take nothing, and that because of the Profits which they shall have of Victuals sold to their said Guests, and of the Advantages that they have more than other [of Carriage [4]] of Herring so by them bought, and hanging in their Houses: And that the Hostelers because of this Ordinance do not refuse their Guests, but receive them, and intreat them in good and friendly Manner, as they have done before-time; and that they for the Advantage of 40 d. the Last, take upon them for the Payment of all the Herring that shall be sold by their Assent to any Persons. And the Hundred of Herring shall be accounted by six Score, and the Last by ten Thousand; and that the Merchants of Yarmouth, of London, or elsewhere, sell the Thousand of Herring to the People after the Rate of the Price of the Last: (5) And that the People of Yarmouth sell the Last of Red Herring bought for 40 s. fresh, [within forty Days,[6]] for half a Mark of Gain, and not above: And that the People of London at such Fair shall bring the Last from Yarmouth to London for one Mark of Gain, and not above. And also Two Lasts of Shotten-herring fresh shall be sold for the Price [assessed [7]] of the buying of a Last of full Herring, and so of more and less after the same Rate; and of Shotten-herring red, the two Lasts shall be sold dearer of a Mark than the Last of Herring full red, and that because the [Carriage [8]] of the Last of Shotten-herring [draweth to [9]] as much as the Last of full Herring; and so of more and less, according to the same Rate: And that the Ships called the Pykers shall freely buy fresh Herring, and all other Merchandises of [Fishes [10]] in Kirkly, and elsewhere upon the Coasts of the Sea, without Impeachment or Disturbance of the Hostelers of Yarmouth, or of any other; so always, that no more Herring be discharged in the Road of Kirkly out of the Fishers Ships, but as much as may reasonably suffice to the Charge of the Pykers that thither shall come for the same Cause; And that the Fishers be compelled to bring all the remnant of their Herring to the said Fair to sell there; so that none [sell [11]] Herring in any Place about the Haven of Yarmouth by seven Miles, except in (12) three Towns of Yarmouth, that is to say, Eston, Weston, and Southton, unless it be Herring of their own Fishing. And our Lord the King doth will, that the Barons of the Five Ports shall cause to be kept and governed the said Fair according to the Composition late made between them and the People of the Town of Yarmouth, confirmed by the King's Grandfather; and that the same Barons and Bailiffs of Great Yarmouth cause to be kept these present Ordinances in all Points, and to be [cried in [13]] every Sunday between St. Michael

[1] Rover *MS. Tr.* 2. [2] for to enderth *MS. Tr.* 2.

[3] *hang* [4] *for the curing*

[5] *and that two Lasts of Shotten-herring fresh shall be sold for the price of the rate of the buying of a Last of full herring:*

[6] *or for less than forty Shillings* [7] of the Rate of

[8] *curing* [9] *costeth* [10] the Fishers

[11] hang *MS. Tr.* 2. [12] the

[13] *proclaimed, on*

harang, en prive nen apt, mes q̃ le harang veigne franchement nient vendu en le haven: ne q̃ nul [Renner [1]] ne face achate de harang fresch deinz le haven de Jernemuth̃, pentre les festes de Seint Michel & de Seint Martyn, s[r] peine demp[r]sonement a la volunte le Roi, & de forfait'e de tout le harang issint achate. Et q̃ nul vessel, appelle Pyker de Londres, ne de nulle pt aillo's, nentre deinz le dit haven p[r] encherer la feyre, a damage du poeple; s[r] peine de forfaire lo[r] vesselx, & touz lo[r] chateux trovez dedeinz. Et q̃ touz les hostilers soient ꝑmentez, devant les gardeins de la feyre, & enjointz s[r] gref forfait'e du Roi, de receiꝑ lour houstes bien & covenablement, & de eux eider & eiser resonablement, ꝓnant de chescune last q̃ ꝑra vendue, as auꝰs marchantz q̃ as ditz hostilers, quarrant deniers; et q̃ de harang vendu as mesmes les hostilers, de pendre en lour mesons, riens ne ꝓndront les hostilers, & ceo p[r] cause des ꝓfitz qils aꝰont des vitailles venduz a lo[r] ditz houstes, & davantage qils ont plus q̃ auꝰs du coriage de harang, issint ꝑ eux achate & pendu en lo[r] mesons: et q̃ les hostilers, ꝑ cause de ceste ordinance, ne refusent lour houstes, einz les receivent & tretent en bone mañe & aimable, come ils ont fait avant ces heures; & qils, p[r] lavantage de les quarrant ḋniers du last, empreignent p[r] le paiement de tut le harang q̃ ꝑra vendu ꝑ lour assent as qeconqes ꝓsones. Et soit le cent de harang acompte ꝑ vi[xx]. & le last ꝑ x[xl]; et q̃ les marchantz de Jernemuth̃, de Loundres, & aillours, vendent le mill de harang au poeple, solonc lafferant du pris du last: et q̃ deux lastes de Shotenharang frescḥ soient venduz p[r] le pris de lafferant de la chate dune last du plein harang: et q̃ les gentz de Jernemuth̃ vendent le last de haring secḥ, achate p[r] quarrant souldz frescḥ, ou dedeinz quarrant [souldz,[2]] p[r] dimi marc de gaine & nemye outre: et q̃ les gentz de Loundres a tiel fire le last amesne de Jernemuth̃ en Loundres, p[r] un marc de gaine [& nemy outre.[3]] Et aussint soient deux lastes de Shotenharang frescḥ venduz p[r] la pris de lafferaunde de la chate dun last de harang plein, & issint de plus & de meins solonc mesme lafferaunt; & de Shotenharang soor soient deux lastes venduz plus chier dune marc q̃ la last de harang plein soor; & ce ꝑ cause q̃ la coriage du last de Shotenharang coust a tant come le last de harang plein, & issint de plus & de meins solonc mesme lafferaunt: et q̃ les niefs appellez Pykers achatent f'unchement harang frescḥ, & toutes auꝰs marchaundises, des pescheurs en Kirkele, & aillo's s[r] costeres de la mier, saunz empeschementz ou destourbance de lo[r] hostilers de Jernemuth̃, ou de nul autre; Issint toutefoitz q̃ plus de harang ne soit deschargez en la rode de Kirkele, hors de niefs de peschours, fors tant q̃ p[r]ra resonablement suffire a la charge de Pykers, q̃ illoeq̃s vendront p[r] celle cause; et q̃ les peschours soient artez de ameñ tout le remenaunt de lo[r] harang a la dite feyre, de vendre illoeqes; issint q̃ nul ne pende harang, nul pt environ le haven de Jernemuth̃ ꝑ sept lewes, sinoun en trois villes de Jernemuth̃, cest assaꝰ Estoñ Westoñ & Southtoñ, sil ne soit harang de lo[r] pescherie demesne. Et nr̃e Seign[r] le Roi voet, q̃ les Barons de Cynk portz facent garder & goꝰnir la dite feyre, solonc la composicion nadgairs faite entre eux & les gentz de la ville de Jernemuth̃, [conferme[4]] ꝑ lael nr̃e Seign[r] le Roi; et q̃ mesmes les Barons, & les Baillifs de G'nt Jernemuth̃, facent garder cestes ꝓsentes ordinances en touz pointz, & crier chescune Dymenge pentre le Seint Michel

[1] Riuer *Old Printed Copies.* [2] jours *Old Printed Copies.*

[3] [4] } Interlined on the Roll.

& le Seint Martyn, s' peine de ꝑdre lo' fraunchises, & destre puniz a la volunte le Roi. Et q̃ les gentz de Jernemuth̃ soeffrent les ditz Barons de Cynk Portz gov̄nir & reuler la dite feyre, solonc le p'port de la composicion avantdite, & due execucion estre faite de cestes ordinances, s' la peine darreinement susdite. Et soient cestes ordinances, en droit de vente & chate de harang, tenues en totes les villes Dengleṫre, ou harang est pris & secche, s' les peines susdites.

Et acorde est ꝑ nr̃e s' le Roi, les g'ntz, & tote la cõe en cest ꝑlement, q̃ les Chaunceller & Tresorer, pris a eux Justices & aut̄s du conseil le Roi, tieux come lo' semblera, eient poer dordiner remedie de la chate & vente de Stokfisshe de Seint Botolph, saumon de Berewyk, & des vins & de pesson a Bristuit, & aillo's; au fin q̃ le Roi & le poeple soient meuth s̄vitz, p' mellio' marche qils nount este devant ces heures, & q̃ lordinance ꝑ eux faite en celle ptie soit fermement tenuz·

and St. Martin, upon the Pain to lose their Franchise, and to be punished at the King's Will. And that the People of Yarmouth suffer the said Barons of the Five Ports to govern and rule the said Fair after the Purport of the said Composition, and due Execution to be made of this Ordinance upon the Pain last aforesaid. And these Ordinances in the Right of buying and selling of Herring, shall be holden in all the Towns of England, where Herring is taken and [searched,[1]] upon the Pains aforesaid.

Extended to all Towns where Herring is taken.

ITEM, It is accorded by our Lord the King, the Great Men, and all the Commons in this present Parliament, That the Chancellor and Treasurer taking to them Justices, and other the King's Council, such as to them shall seem, shall have Power to ordain Remedy touching the buying and selling of Stock-Fish of St. Botulf, and Salmon of Berwick, and of Wines and Fish of Bristuit, and elsewhere; to the Intent that the King and the People may the better be served, and [have better Market than they have had[2]] before this Time, and that the Ordinances by them made in this [Party[3]] be firmly holden.

III. Chancellor and Treasurer shall regulate the buying and selling of Fish and Wines.

[1] dried *MS. Tr.* 2.
[2] *cheaper than they have been*
[3] *behalf*

In Margine Rotuli.

Ordinacio de ꝑisce salito de Blakeney; Anº xxxj.

An ORDINANCE concerning the Salt Fish of Blakeney; In the Thirty-first Year.

Ex magno Rot. Stat. in Turr. Lond. m. 14. *d.**

PORCE q̃ monstre est a nr̃e Seign' le Roi, ꝑ les cões de son Roialme Dengleṫre, en [son [1]] ꝑlement tenuz a Westm̃, le Lundy ꝑschein aꝑs la semaigne de Pasq, lan du regne nr̃e s' le Roi, cestassav̄ Dengleṫre trent prim̄ & de Fr̃nce disoitisme, q̃ pessons salez de Blakeneye & de les costeres joignantz, sont & devant ces heures ont este venduz a trop chier & excessif pris, a g'nt damage de nr̃e s' le Roi, des g'ntz & de tout le poeple du dit Roialme, de quoy les ditz cões prient remede; Nr̃e Seign' le Roi desirant s' ce mettre amendement, en eise de son poeple, & ꝑ assent des Prelatz, & autres g'ntz & cões, ad ordegne & establi s' la vente des ditz pessons, en la maṉe q̃ sensuyt.

Primement, q̃ touz les niefs appellez Doggeres & Lodshippes, app'tenantz al Haven de Blakeneye & des costeres joignantz, cest assav̄ de Suyterle, Wyuetoñ, Claye, Salthous, Shirygnham & Crowemere, deliv̄ent & deschargent lour pesson dedeinz le havene de Blakeneye tantsoulement, pentre Benorde & Hoghflete, & en nul lieu aillours; s' peine demprisonement a la volunte du Roi & forfait'e de mesme le pesson. Et q̃ nul pesson seit liv̄e ne porte hors du nief, a nully maison ne aillours, avant q̃ le Seign' du nief, en quele le dit pesson est chargee, & le Marchant qui le pesson achatera, soient acordez du pris dicelle, & ce ꝑ cler jour.

Et q̃ nul peschour, ne Seign' du nief, ne nul autre ne mette main s' nul pesson deinz nief, p' le pesson trier eslire ou·[empeirer,[2]] fors soulement lachato', ou son attorne, s' la dite paine. Et q̃ nulle pesson, appelle Lochefissh, ne soit eslu ne trie fors tantsoulement

[1] cest ꝑsent *m.* 13. *d.*
[2] empirer *m.* 13. *d.*

Statute the Third.

WHEREAS it is shewn to our Lord the King by the Commons of his Realm of England, in his Parliament holden at Westminster, the Monday next after the Week of Easter, in the Year of the Reign of our Lord the King, that is to say, of England the One-and-thirtieth, and of France the Eighteenth, that Salt-Fish of Blakeney and of the Coasts adjoining, are, and heretofore have been sold at too high and excessive price, to the great Damage of our Lord the King, of the great Men, and of all the People of the said Realm; whereof the said Commons do pray a Remedy; Our Lord the King, desiring to make Amendment therein, for Relief of his People, and by Assent of the Prelates and other great Men and Commons, hath ordained and established concerning the Sale of the said Fish, in Manner following.

FIRST, [It is ordained,] That all the Ships called Doggers and Lodeships, pertaining to the Haven of Blackney, and Coasts thereunto adjoining, that is to say, [the Suyter, the Wyneton, [1]] Clay, Salthouse, Shiringham, and Crowmer, shall deliver [or [2]] discharge their Fish within the Haven of Blackney only, betwixt Benord and Hogfleet, and in none other Place, upon Pain of Imprisonment at the King's Will, and Forfeiture of the same Fish. And that no Fish be delivered nor carried out of the Ship to any House, nor elsewhere, before that the Owner of the Ship, wherein the said Fish is charged, and the Merchant that shall buy the Fish, be agreed of the Price of the same, by clear Day.

I. Doggers, &c. of Blakeney shall discharge their Fish there.

ITEM, That no Fisher nor Owner of any Ship, nor any other, set Hand upon any Fish within the Ship, for to try, choose, or impair the Fish, but only the Buyer or his Attorney, upon the said Pain. And that no Fish called Loych-fish shall be chosen or tried, but only

II. The Buyer only shall handle the Fish.

[1] *Suyterley, Wiveton.*
[2] and *MS. Tr.* 2.

* The Readings in the Notes marked *m.* 13. *d.* refer to a more antient, but apparently less perfect, Copy of this Ordinance, which is entered on the back of the succeeding Membrane of the Roll; being there intituled in the Margin 'Ordinacio fca de pisce salito vendendo;' and immediately following the Ordinance printed as Statute 2. of this Year.

Loych-fish.

Orgeys.

The Price of Dogger fish shall be settled at the beginning of Blakeney Fair.

Fish shall not be kept in Houses, to be sold by Retale.

Who may buy Nets and Hooks in Norfolk to fish with.

Six chosen Men shall be present at the Delivery of Fish; to search for Orgeys: &c.

Punishment of Offenders.

in three Parts, that is to say, Lob, Ling, and Cod; and that every of the same three Sorts of Lob, Ling, and Cod, be good and covenable, as in old Time hath been used; and in case that [no [1]] Orgeys, that is to say, Fish greater than Lob, be found in a Ship called a Lode-ship, in the Hundred of Lob, Ling, and Cod, the Master and Mariners shall have of every Hundred of Lob, Ling, and Cod, the Hundred accounted to [six Score,[2]] twenty Orgeys, if there be so many; And if there be less, the Masters and Mariners shall have all the Orgeys; and if there be more, the Overplus above the Scores to every Hundred shall be put to the Fish bought, in Amendment of the Price of the same to the Profit of the Buyer. And also by the Advice of the Merchants and Buyers of the Owners coming to the Fair of Blackney, and of the Owners of the Ships, a Price shall be set at the Beginning, and assessed upon the Dogger-fish and Loych-fish, before that any Sale be made, which Price shall be holden during the Fair; and that the said Fish be sold at such a Price openly, and not by Covin privily: And that no Owner of Ships, Mariners, nor other, lodge, nor cause to be lodged in their Houses privily nor openly, Fish in the [Mud,[3]] nor Fish [searched,[4]] for to sell again another Time at Retale, but all such Fish shall be sold reasonably within the said Bounds at the [Fair [5]] and Price aforesaid, upon the same Pain. And that no Man buy Nets, Hooks, nor other Instruments pertaining to fishing in the County of Norfolk, but Owners, Masters, and Mariners of Ships that use the Mystery of Fishing, and which have to do with such Things, upon Pain of Imprisonment, and to be ransomed at the King's Will, and to forfeit the Things so bought.

And that there shall be no Deliverance made of the said Fish, but in the Presence of Six Men chosen thereto, by the good Men of the Towns of Suyterley, Wyveton, Claye, Salthous, and Shiryngham, and the Owners and Masters of Ships and the Merchants; which six Men, five, four, three, or two of them at the least, shall be always present with the Owners and Masters of Ships, and the Merchants to make every Delivery; and the said six chosen Men shall be sworn, well and faithfully to search if any Orgeys be found concealed, beyond the Score which the Masters and Mariners shall have in the Hundred as above is said; and if more Orgeys be found concealed, they shall forthwith be arrested by the said chosen Men then present, and forfeited unto our Lord the King.

And that no Owner of a Ship, Mariner, nor other, make Impeachment, nor be resistant in any Point against this present Ordinance; nor that no Mariner nor Fisher, because of this Ordinance, leave or refuse to go [in [6]] fishing, as before Times they were wont to do, nor disturb any Covenant made between a Merchant and Owner of a Ship, upon Pain of Imprisonment, and to be ransomed at the King's Will; and that upon the same a Writ be sent to the Sheriff of Norfolk, that at every Man's Complaint that will sue for the King, or for himself, against those that in any Point offend against this Ordinance, he shall cause the same Resisters and Trespassers to be attached, and them detain in Prison till the King and his Council have ordained of them that Right requireth, after the Quantity of their Trespass.

[1] any *MS. Tr.* 2.

[2] x. score *MS. Tr.* 2.

[3] *Cask*

[4] drie *MS. Tr.* 2.

[5] *Rate*

[6] to *MS. Tr.* 2.

en trois ꝑties, cestassaꝰ Lob [Byng [1]] & Cod; & q̃ chescun de mesmes les trois sortz de Lob Byng & Cod soit bon & covenable, come en ancien temps estoit usee; et en cas q̃ nul [orgois,[2]] cestassaꝰ pesson plus gᵗnt [q̃ [3]] Lob, soit trove en nief appelle Lodship, en le Cent de Lob Lyng ou Cod, eient les mestres & mariñs de chescun Cent de Lob Lyng & Cod, le cent acompte a dis vintz, vint orgois si tantz y soient; et si mens y soient eient les Mestres & Mariñs touz les orgois; et si plus y soient, soit le sᵗplus, oultre les vintz a chescun Cent, mys a le pesson achate, en amendement du pris dicel a ꝑfit del achatour. Et q̃ ꝑ lavis des Marchantz & achatours des Seignᵗs venantz a la feire de Blakeneye, & des fᵗs des niefs, soit a comencement, avant q̃ nul vente se face, ċtein pris mys & assiz, sʳ le pesson de Doggerefissh & lochefissh, queu pris soit tenuz durante la feire; & q̃ tout le dit pesson soit vendu a tiel pris en appt, & nemye ꝑ covyne privement en muscet: et q̃ nul fʳ de nief, mariñ nautre ne herberge ne face herberger en loʳ maisons, en prive nen appt, pesson en la mod, ne pesson sek, pʳ revendre altrefoitz a retaill, einz soit tout tiel pesson vendu resonablement, dedeinz les boundes susdites a foer & pris devantditz sʳ mesme la peine. Et q̃ nul hōme achate retz, hokes, nautres instrumentz apptenantz a pescherie, en le countee de Norff, forspris Seignᵗs, mestres, & mariñs des niefs qui usent le mester de pescherie, & qont affaire des tielles choses, sʳ peine demprisonement & destre reintz a la volunte le Roi, & sʳ forfaitʳe des choses issint achates.

[4] Et q̃ nul deliv̄ance soit fait del dit pesson, sanz ꝑsence de sis hōmes a ce esluz, ꝑ les bones gentz de les villes de Suyterle, Wyuetoñ, Claye, Salthous, & Shiryngham, & les Seignᵗs & Mestres des niefs, & les Marchantz; queux sis hōmes, cynk, quatre, trois, ou deux de eux a meins, soient toutefoitz en ꝑsence, ove les fᵗs & Mestres de les niefs, & les Marchantz, a chescun deliv̄ance affaire; et ſront les ditz sis hōmes esluz jurrez, de bien & loialment ſcher si nul orgois soit trove en muscet, ultre vint orgois q̃ les Mesꝰ & Mariñs aꝰont del cent, come dessus est dit; et si plus orgois soit trove en muscet, soit meintenant arestu ꝑ les ditz hōmes esluz, a celle heure ꝑsentz, & forfait a nr̃e Seignʳ le Roi.[5]] Et q̃ nul fʳ de nief, Mariñ nautre ne face empeschement, nene soit rebel en nul point, contre ceste ꝑsente ordinance; ne q̃ nul Mariñ ne peschour, ꝑ cause de ceste ordinance ne lesse ne refuse daler pescher, come il soleit devant ces heures faire, nene destourbe covenante faite ꝑntre marchant & Seignʳ du nief, sʳ peine demprisonement & destre reint a la volunte le Roi; et qe sʳ ce brief soit mande au visconte de Norff, q̃ a chescuny pleinte q̃i vorra suir pʳ le Roi ou pʳ lui mesmes contre ceux qui vendront en ascun point contre ceste ordinance, face attacher les ditz rebelles & trespassours, & les detenir en prison, tanq̃ le Roi & son conseil eient ordeignez de eux ceo q̃ droit demande, selonc la quantite de loʳ trespas.

[1] *m.* 13. *d*, also reads 'Byng' here and throughout the Ordinance; all Printed Copies, except Hawkins's, read 'Lyng.'

[2] Orgeys *m.* 13. *d.* and so throughout the Ordinance.

[3] de *m.* 13. *d.*

[4]—[5] These Sentences are not inserted in the Copy entered on *m.* 13. *d*; nor in the Old Printed Copies.

In Margine Rotuli.

Ordinacio facta p' statu t're Hibn'.*

An ORDINANCE made for the Estate of the Land of Ireland.

Ex magno Rot. Stat. in Turr. Lond. m. 12.

R. Archiepis, Epis, Abbibz, Prioribz, Ministris nris tam majoribz q'm minoribz & quibuscumq; aliis de tra nra Hibn fidelibz nris ad quos [&c.[1]] saltm. Quia ex frequenti fidedignoz insinuacõe accepim⁹, qd tra nra Hibn, ecclia, Hibnicana, ac clerus & populus ejusdem nobis subditus, ob defectum boni regiminis ac p negligenciam & incuriam Ministroz regioz ibidem, tam majoz q'm minoz, hactenus turbati fuerant multiplicit & g'vati, marcheeq; tre ipius juxta hostes posite p hostiles invasiones vastate, occisis marchionibz & depdatis & eoz hitacõibz enormit concrematis, cetisq; coactis loca ppria deserere, quibusdam videlt ad hostes, cetis ad loca ext'nea fugientibz; divse q; ptes dcaz marchiaz talit desolate & derelicte p hostes eosdem occupate, nraq; & ejusdem tre negocia incongrue & inutilit agitata, leges & appbate consuetudines min⁹ debite observate, populus nr bonis & rebz suis cont' justiciam, legem, & formam statutoz inde editoz, divsimode spoliatus, paxq; nra lesa & minime custodita, ac pditores latrones & malefcores non sicut convenit castigati; quoz maloz q; (2) occõne majora dampna irrepabilia evenire quod absit timent', nisi pmissis oportunis remediis occurrat': Nos desiderantes utili regimini & quieti eozdem tre & populi pvidere, que sequnt' ppt ea de assensu consilii nri ordinanda duxim⁹ & firmit observanda.

In primis videlt volum⁹ & pcipim⁹ qd sca Hibnicana ecclia suas libtates & libas consuetudines illesas teat, & eis libe gaudeat & utat'.

Item volum⁹ & pcipim⁹, qd nra & ipius tre negocia, psertim majora & ardua, in consiliis p ptos consiliarios nros, ac Prelatos & Magnates & quosdam de discretioribz & pbioribz hõibz de ptibz vicinis ubi ipa consilia teneri contigit ppt hoc evocandos, in pliamentis vo p ipos consiliarios nros, ac Prelatos & pres aliosq; de tra pdca put mos exigit, scdm justiciam, legem, consuetudinẽ & rõnem tractent', deducant', & fidelit, timore, favore, odio, aut pcio postpositis, discutiant' & eciam tminent'.

Item cum Justiciarii & quidam alii Ministri nri dce tre qui hacten⁹ extitant, ducti consiliis privatoz consiliarioz suoz, non nroz, ne dicam⁹ broccatoz, innumas injurias, tam nob q'm psonis aliis singularibz irrogavint, cõmoda in ea pte illicite adquisita suis ppriis non nris usibz applicando, volum⁹ & pcipim⁹, qd ipi Ministri nri, majores maxime, tales consiliarios ut pmittit' broccatores, psertim illos de hujusmodi broccagiis diffamatos, qui cũ hujusmodi majoribz ministris ante hec tempora extitant, secum non teneant; & si quos tenuint, ipos ab eis statim amoveant; ne nra & tre negocia p ipos broccatores impetant', nec cõmoda ad nos ptinencia a nob p ipoz fabricata consilia auferant'; et si hujusmodi privati consiliarii quod absit in eozdem Ministroz nroz comitivis cont' ordinacõem pdcam retenti, quicq'm a popło seu eoz

[1] psentes tre pvenint [2] alioz

Statute the Fourth.

THE King to the Archbishops, Bishops, Abbots, Priors, to our Officers both great and small, and to All other our faithful Subjects whomsoever, of our Land of Ireland, unto whom these Presents shall come Greeting. Whereas from the frequent Information of trust-worthy Persons, We have learnt that our Land of Ireland, and the Church of Ireland, and the Clergy and People thereof subject to Us, through Default of good Government and the Neglect and Carelessness of the Royal Officers there, both great and small, have been hitherto manifoldly disturbed and grieved; and the Marches of the said Land situate near the Enemy, have been laid waste by Hostile Invasions, the Marchers being slain and plundered, and their Dwellings horribly burnt, and others compelled to desert their proper Homes, some of them flying unto the Enemy, and others to strange Places; and divers Parts of the said Marches being thus desolate and deserted have been occupied by the Enemy; and the Affairs of Us and the said Land improperly and uselessly carried on, the Laws and approved Customs not duly observed, our People in divers Manners spoiled of their Goods and Property, against Justice, Law, and the Form of the Statutes thereof made; and our Peace broken and ill kept, and Traitors, Thieves, and Malefactors not punished as they ought to be: By occasion of which Evils and others, greater Damages irreparable, which God forbid, are feared to happen, unless apt Remedies be opposed to the Premises: We desiring to provide for the good Government and Quiet of the same Land and People, have thereupon, by Assent of our Council, determined that the Matters following shall be ordained and stedfastly observed:

Recital of the Disorders in Ireland through Defect of good Government.

I. Liberties of the Church confirmed.

First, We will and command that the Holy Church of Ireland shall have her Liberties and free Customs inviolable, and shall freely enjoy and use the same.

II. How Public Matters shall be discussed in Council, and in Parliament.

Also We will and command that the Affairs of Us and the Land, those especially which be great and arduous, shall, in Councils, by our sage Counsellors and the Prelates and Great Men, and certain of the more discreet and lawful Men of the Parts adjoining where those Councils shall happen to be holden, for this Cause to be called forth, but in Parliaments by those our Counsellors, and the Prelates, and Nobles, and others in the Land aforesaid, as the Custom requireth, according to Justice, Law, Custom and Reason, be treated and managed; and faithfully, without Fear, Favour, Hatred, or Reward, be discussed and also determined.

III. The Justices and other Great Officers shall not retain in their Service evil Counsellors.

Also Whereas the Justices and certain others who have been heretofore our Officers of our said Land, led by the Counsels of their private Counsellors, not ours, let us not say of Brocagers, have occasioned innumerable Wrongs as well to Us as to singular other Persons, applying their Gains unlawfully acquired in that behalf to their own Use, not ours; We will and command that our said Officers, the greater chiefly, shall not keep in their Service such Counsellors as aforesaid that are Brocagers, more especially those defamed of such Brocages, who have heretofore belonged to such Chief Ministers; and if they should have retained any, they shall forthwith put them away; that the Affairs of Us and the Land, be not obstructed by the said Brocagers; nor the Profits to Us appertaining be not carried away from Us through the Means of their feigned Counsels; And if such private Counsellors, which God forbid, being retained among the followers of those our Ministers contrary to the aforesaid Ordinance, should receive any thing from the People or

* This Ordinance was not inserted in any Printed Copy of the Statutes previous to Hawkins's Edition.—On *Rot. Pat.* 17 *Ric. II. P.* 1. *m.* 34. is an Entry of Letters Patent reciting and confirming this Ordinance: It begins thus: "R Omnibz ad quos &c. Saltm. Inspeximus tras patentes dñi E. nup Regis Angł, avi nri, fcas in hac verba. Edwardus dei gra Rex Angł & Franc, & dns Hibn, Archiepis" [&c. as in the Text.] The Readings inserted in the Notes, are from that Entry on the Patent Roll.

any of them, to their Grievance, by Brocage or other underhand Bargain, to their own Use or that of their Lords, they shall restore it fully to him that paid the same, and nevertheless, for such Extortion, they shall, on our behalf, by our Justice and Council of Ireland be duly punished; and shall make reasonable Fine to us, as shall seem meet unto our same Justice and Council, and shall be removed forthwith, as is above rehearsed, from their Retinue: We hereby strictly injoining our Justice of Ireland for the Time being, that this he do faithfully observe in his own Person, and do cause the same to be observed by others.

Punishment of such evil Counsellors.

IV. Also, Whereas the People through almost all Ireland subject to Us, by the Plunderings and Takings of Victuals and other their Goods, by Purveyors of the said Chief Ministers, and very frequently by Command of those Ministers hath been lamentably depressed; We will and stedfastly command, that Purveyances of Victuals to be made in the said Land of Ireland, for the Use of Us and our said Chief Ministers, shall be made according to the Form of the Statutes and Articles made and passed by Us in Parliaments and other great Councils for the Benefit of our People, and not otherwise; So that Victuals or other Things whatsoever to be taken for such Use, shall be appraised by the good and lawful Men of the Neighbourhood of the Places where they shall happen to be taken, sworn thereto and not menaced nor compelled by Menaces, having regard to the Price whereat such Victuals and Things are sold in the neighbouring Markets, and the Price shall be paid forthwith: And if for dearth of Money, the said Purveyors do make Tallies of such Price to them of whom the Victuals and Things be taken, according to the said Price, they shall pay the same within one or two Months. So always that for small Victual and Things so bought and taken, that is to say, within the Sum of Twenty Shillings, there shall be ready Payment in Hand made: And if our Chief Ministers shall neglect the same, We will and command that our Treasurer of Ireland for the Time being, shall pay the said Price without Difficulty, out of the Fees which they our Chief Ministers do receive at our Exchequer of Dublin; or else that so much shall be subtracted from the Fee of the said Treasurer, and paid for the same Victuals, for his Default in this Behalf: And that the Purveyors deputed to purvey such Victuals, shall make their Corporal Oath upon the Holy Gospels of God before our Council of Ireland, That they will purvey and take Victuals where it may be done to the greatest Advantage for Us and our Ministers, and the least Damage to our People, according to the Form of our Commissions thereof to be made to them under our Great Seal of Ireland; which shall contain the Method and Form of making such Purveyances, according to the Tenors of the Statutes and Articles aforesaid; and that Clause especially, "If they do otherwise it shall be done of them, as of Thieves:" And that they will not take Gifts or Fines from any, that they may spare them and grieve others; and no Victuals or other Things shall be taken or purveyed, as is abovesaid, for the Use aforesaid, by any Commissions of our said Chief Ministers under their Seals, but only by Commissions under our Great Seal of Ireland: And We will moreover that such Purveyances shall be made by Deliberation as well of our Council, as of certain lawful and trust-worthy Persons among the Chiefs of those Neighbourhoods wherein they our said Chief Ministers shall abide, or whereto they shall happen to come; So that the Grievances in that Behalf may cease, which have hitherto woefully oppressed our liege People of Ireland. But We will not for the Honour and Worship of God, and our Holy Mother Church, that any thing be taken in anywise in Churches, or the Endowments and Fees of Churches, to the Use of Us or those Ministers, either by those our Ministers, Purveyors, or any others, against the Will of the Prelates or Ecclesiastical Persons or the Guardians of their Places and Goods.

Appraisement of Things purveyed.

Payment thereof.

Purveyors shall be sworn.

Their Commissions.

Purveyances shall be made by order of Council, &c.

Saving for the Clergy.

V. Also, Whereas through the Default and Neglect of our said Chief Ministers, our Peace in divers Parts of the same Land, as well without the Marches as within the same, hath been improvidently kept, whereby Thieves, Malefactors, and Disturbers of the said Peace being made bolder, have hitherto publicly committed Manslaughters and Robberies, as well in the Lands of our Peace as in the Marches, and have exacted Fines and Ransoms of divers, that they might let them go in peace,

quolibet in eoꝝ gravamen ex broccagio vel alio sinistro pacto, ad suū vel dñoꝝ suoꝝ opus recepint, illud plene solventi restituant, & nichilominꝰ ꝑ excessu hujusmodi erga nos, ꝑ Justič & consiliū nr̄m Hiber̄ debite puniant'; & rōnabilem, ꝑut eisdem Justič & consilio nr̄is expedire videbit', faciant nob̄ finem, & amoveant' statim ut ꝑtangit' a comitivis eoꝝdem: districcius Justič nr̄o Hiber̄ qui ꝑ tempore fuit injungentes, qd̄ hoc penes se fideliꝰ observet & penes alios faciat observari.

Item cū populus quasi ꝑ totam Hiber̄ nob̄ subjectus ꝑ spoliac̄ões & capc̄ões victualiū, & alioꝝ bonoꝝ suoꝝ ꝑ ꝓvisores dc̄oꝝ majoꝝ Ministroꝝ, & sepissime de mandato ip̄oꝝ Ministroꝝ lamentabiliꝰ sit depꝰssus; volumꝰ & firmiꝰ ꝑcipimꝰ qd̄ ꝓvisiones victualiū ad nr̄m & dc̄oꝝ majoꝝ Ministroꝝ nr̄oꝝ opus in d̄ca ꝑra Hiber̄ faciende, fiant juxta formam statutoꝝ & articuloꝝ ꝑ nos in pliamentis & aliis magnis consiliis ad utilitatē populi nr̄i editoꝝ & fc̄oꝝ & non aliꝰ; ita qd̄ victualia sive res alie quecūq; ad opus hujusmodi capiend̄ ꝑ ꝓbos & leḡ hōies, locis ubi ea capi contiḡit vicinos, juratos, non cōminatos, nec cōminac̄oib; compulsos, ħita considerac̄oe ad ꝑciū quo talia victualia & res in vicinis ꝑcatis vendunt', apꝑcient', & statim ꝑciū ꝑsolvat': et si iminente pecunie defectu, ꝓvisores ꝑd̄ci tallias de ꝑcio ip̄o illis a quib; victualia & res capta fuint juxta dc̄m ꝑciū faciant, infra unū vel duos menses ꝑciū ip̄m solvant. Ita semp qd̄ ꝑ modicis victualib; & reb; sic emptis & captis, videl't infra sūmam viginti solidoꝝ, in manu solucio ꝓmpta fiat; et si majores Ministri nr̄i (1) face negleꝯint, volumꝰ & ꝑcipimꝰ qd̄ Thes̄ nr̄ Hiber̄, qui ꝑ tempore fuit, dc̄m ꝑciū, de feodis que ip̄i majores ministri nr̄i ad sc̄acm nr̄m Dubliñ ꝓcipiant, sine difficultate solvat; alioquin tantum de feodo dc̄i Thes̄ subtrahat', & ꝑ eisdem victualib; ob ejus in hac ꝑte culpā solvat': et qd̄ ꝓvisores ad victualia hujusmodi ꝓvidend̄ deputati, coram consilio nr̄o Hiber̄ corpale ꝑstent sup sc̄a Dei Ewangelia juramentū, qd̄ victualia ip̄a ꝓvidebunt & capient, ubi ad majus cōmodū nr̄m & ministroꝝ nroꝝ, & minꝰ dampnū populi nr̄i fieri poꝑit, sc̄dm formā cōmissionū nr̄aꝝ, eis sub magno sigillo nr̄o Hiber̄ inde faciendaꝝ, que contineant modū & formam ꝓvidenciaꝝ hujusmodi, juxta tenores statutoꝝ & articuloꝝ ꝑdc̄oꝝ faciendaꝝ; & sp̄aliꝰ illam clausulam, Si aliꝰ feꝯint, fiat de eis sicut de Latronib; ; qd̄q; fines seu dona ab aliis non recipiant ut eis parcant & alios gravent; & qd̄ nulla victualia seu res alie ad opus ꝑd̄m ꝑ aliquas cōmissiones dc̄oꝝ majoꝝ Ministroꝝ nr̄oꝝ sub sigillis suis, set tantū ꝑ cōmissiones sub magno sigillo nr̄o Hiber̄, capiant' seu ꝓvideant' ut est dc̄m: et volumꝰ insup qd̄ ꝓvisiones hujusmodi fiant ꝑ deliber̄ac̄oem tam consilii nr̄i, qam quoꝝdam ꝓboꝝ & fidedignoꝝ hōīm de majoribus, de vicinis ptib; in quib; ip̄i majores ministri nr̄i moram traꝯint, vel ad quas eos contiḡit declinare; ut cessent in ea pte gravamina que populū nr̄m fidelem Hiber̄ hacteꝰ lacrimabiliꝰ opꝰsserunt. Nolumꝰ tamen, ob honorem & reverenciam Dei, sc̄eq; mr̄is ecclie, qd̄ quicqam in ecclīis aut ecclīaꝝ dotib; & feodis ad nr̄m aut ipoꝝ ministroꝝ opus ꝑ ipos Ministros nr̄os ꝓvisores seu quosvis alios, contra voluntatem ꝑlatoꝝ aut ecclīasticaꝝ ꝑsonaꝝ, seu Custodum locoꝝ & bonoꝝ eoꝝdem, aliqualiꝰ capiat'.

Item cū ꝓpꝰ defectū & desidiā dictoꝝ majoꝝ Ministroꝝ nr̄oꝝ, pax nr̄a, in diverꝰsis ejusdem ꝑre ptib; tam extra marchias qam in eis, fuit imꝓvide custodita, ꝑ quod latrones, malefc̄ores & dc̄e pacis ꝑturbatores audaciores effecti, homicidia & robbias, tam in ꝑris pacis qam in Marchiis, hacteꝰ publice ppetraunt, & fines & redemp-c̄oes a diverꝰsis hōib; ut eos in pace dimitt'ent exegerunt,

(1) hoc

& p cominacões de corpib3 inꝑficiend & domib3 incendend extorserunt; sicq3 in diꝟsis ptib3 ubi pax viguit, fca est guerrina marchia, & affliccio populoꝝ: volum9 & districte ꝑcipim9, qd Justic nr Hibn qui nunc est vel qui p tempe fuit, in quolibet Com ubi sessiones suas fecit de hujusmodi homicidis & homicidiis, latronib3 & latrociniis, tnsgressorib3 & tnsgressionib3, ac hujusmodi fines & redempcões exigentib3 & extorquentib3, necnon de illis qui dicunt hões otiosi, & malefcoribꝫ qui etiam Kernys dicunt, & eos ducentib3, p quos populus fidelis diꝟsaꝝ pciũ opprimit & destruit, & qm plures eoꝝ loca ppria relinquere coartant, sepe & sepius in anno inquisicões faciat diligentes, & subire justiciam indcatos, si indignacõem nram & debitam erga nos punicõem voluit evitare. Volum9 insup & ꝑcipim9, qd residentes in patria ubi ꝺi latrones & malefcores vagari, & furta & latrocinia ppetri contingeꝫ, illis de eadem patria de bonis suis p ꝑdcos spoliatis & derobbatis, satisfaccõem exhibeant competentẽ, si hujusmodi latrones & malefcores cũ clamore & hutesio psecuti non fuint, nec responderint de corporib3 eoꝝdem, juxta formam statuti dudum apud Wyntoñ editi & pvisi: et si Custodes pacis in Com dce ꝺre nre Hibn circa execucõem officii sui fuint negligentes, Volum9 & ꝑcipim9 qd de eoꝝ negligencia & impvido gestu p Justic nrm Hibn sepissime inquirat; & ipe eos p incarcacõem corpoꝝ suoꝝ, & p fines nobiscũ faciendos, juxta modũ, qualitatẽ, & qntitatem culpaꝝ negligentiaꝝ & defectuũ suoꝝ, puniat & castiget.

Item, cũ occõne cartaꝝ de pdonacõe feloniaꝝ & tnsgressionũ, p Justic nros Hibn qui hacten9 extiterint genalit & impvide concessaꝝ, sedicões, homicidia, robie, latrocinia & tnsgressiones frequencius fuint ppetrata, aliaq3 mala exinde innumꝛa sint secuta; Volum9 & ꝑcipim9 qd carte hujusmodi de ceto, non nisi in pliamentis, aut consiliis de assensu & delibacõe eoꝝdem pliamentoꝝ & consilioꝝ consideratis psonaꝝ & maleficioꝝ ppetratoꝝ qualitatib3 concedant: ita qd nulla genalis pdonacõ inde fiat, set specificent & exprimant in eisdem ppetrate felonie, sive tnsgressiones; juxta tenorem cujusdam statuti p nos & consiliũ nrm Angl editi, & missi ad Hibn observand.

Item cũ Consiliũ nrm Hibn, nonnulliq3 Prelati, Magnates, cõitates Civitatũ & Villaꝝ, & alii eciam missi nuncii de Hibn, p lras & suggestiones nos & consiliũ nrm in Angl de dieb3 in dies ctificavint min9 vere, qd bona pax in dca ꝺra nra Hibn viguit, & paces ubilibet sive in diꝟsis marchiis fuant reformate; quib3 tempib3 majora ex repentinis hostium invasionib3 homicidia, incendia & depꝺacões marchiaꝝ Anglicoꝝ & alia incõmoda qm guerraꝝ tempib3 contingebant; nosq3 de hujusmodi ctificacõib3 confidentes, defensiones aliaq3 remedia put oportuit non pvidim9 tempib3 oportunis, unde debilitant diꝟse patrie & vastant; quas decepcões & delusiones in ctificacõib3 hujusmodi sub silencio tnsire non intendim9, set punire: Volum9, & sub gvi forisfcura nra ꝑcipim9, qd nulli decto Prelati, Magnates, cõitates, aut quivis alii nos & consiliũ nrm in tali casu, nisi de fci vitate ad pcuracões quoꝝcũq3 ministroꝝ nroꝝ seu alias, ctificare p evitandis futuris piculis audeant vel ꝑsumant; quod si face ꝑsumpserint, eos si culpabiles inventi fuint, puniri pena debita faciem9.

Item cũ p maritagia & alias diꝟsas alligacões & infanciũ nutrimenta int Anglicos morantes in marchiis et Hibnicos, & p ꝑmunicões & exploracões utrobiq3 fcas occõnib3 supdcis, infinite destrucões & mala alia hacten9 evenerunt, & expedicões nre & Justic nroꝝ ibidem nro nõie, tam in guerrinis actib3 qm aliis

and by threatenings to kill them and to burn their Houses have extorted the same; and thus in divers Parts where Peace hath been wont to flourish, the March hath become full of War and the People afflicted: We will and strictly command that our Justice of Ireland, now or for the Time being, in every County where he shall hold his Sessions, concerning such Manslayers and Manslaughters, Robbers and Robberies, Trespasses and Trespassers, and the Exacters and Extorters of such Fines and Ransoms, and also concerning those who are called Idle men, and Malefactors called Kerns and those who lead them, by whom our liege People of divers Parts are oppressed and destroyed, and many of them compelled to leave their Homes, many Times and often in the Year, shall make diligent Inquiries, and cause the Parties indicted to suffer Justice, if he would avoid our Indignation and the Punishment due on our Behalf.

The Justice of Ireland shall enquire of Manslaughters, Robberies, Extortions, &c.

Moreover We will and command that the Inhabitants of the Country where it shall happen that such Robbers and Malefactors shall be wandering and committing Robberies and Thefts, shall make competent Satisfaction to them of the same Country who are robbed and plundered of their Goods by the Persons aforesaid, if they did not pursue such Robbers and Malefactors with Hue and Cry, nor have answered for their Bodies, according to the Form of the Statute heretofore at Winchester made and provided: And if the Keepers of the Peace in the Counties of our said Land of Ireland should be negligent in the Execution of their Office, We will and command that, touching their Neglect and Misconduct, by our Justice of Ireland frequent Inquiry shall be had; and them, by Imprisonment of their Bodies, and by Fines to be made to Us, according to the Manner, Quality, and Quantity of their Faults, Neglects, and Offences, shall he punish and chastise.

Inhabitants of the Country shall make Satisfaction for Robberies, &c.

Keepers of the Peace shall be punished for their negligence.

VI. Charters of Pardon shall not be granted, except in Parliament or Council;

ALSO, Whereas by Occasion of Charters of Pardon of Felonies and Trespasses, by them who have hitherto been our Justices of Ireland, generally and improvidently granted, Seditions, Manslaughters, Robberies, Thefts, and Trespasses have been more frequently committed, and other Evils innumerable have ensued thereupon; We will and command that such Charters shall not be granted from henceforth, except in Parliaments or Councils, by the Assent and Advice of the same Parliaments and Councils, having regard to the Qualities of the Persons and of the Offences committed: So that no general Pardon be thereof granted, but the Felonies or Trespasses committed shall be specified and expressed therein, according to the Tenor of a certain Statute by Us and our Council of England made, and sent into Ireland to be observed.

Felonies shall be specified in Pardons.

VII. The Council, &c. shall certify into England the Truth only respecting the State of Ireland.

ALSO, Whereas our Council of Ireland and certain Prelates, Great Men, Commonalties of Cities and Towns, and likewise others being Messengers sent from Ireland, have by Letters and Suggestions untruly certified Us and our Council of England from Time to Time that there was good Peace preserved in our said Land of Ireland, and that the Peaces in all Parts or in divers Marches had been re-established; in which Times there fell out greater Manslaughters, Burnings, and Plunderings of the English Marches and other Mischiefs from sudden Invasions of the Enemy than in the Times of Wars; and We confiding in these Certificates, did not provide Defences and proper Remedies as behoved Us, in convenient Time, whereby divers Countries are weakened and wasted; the which Deceits and Delusions in such Certificates we intend not to pass over in Silence, but to punish; We will, and under grievous Forfeiture to Us do command, that from henceforth no Prelates, Great Men, Commonalties, or any others, for the avoiding of future Dangers, shall dare or presume, upon the Procurations of any of our Officers or otherwise, to certify Us and our Council in such Case, except of the Truth of the Fact; but if they presume so to do, and be thereof found Guilty, We will cause them to suffer just Punishment.

VIII. Marriages between the English and the Irish prohibited.

ALSO, Whereas by Marriages and divers other Ties and the nursing of Infant Children, among the English dwelling in the Marches and the Irish, and by Forewarnings and Espyals made on both Sides by the Occasions aforesaid, infinite Destructions and other Evils have happened hitherto, and the Expeditions of Us and our Justices there in our Name, as well in acts of

War as in other useful Progresses have been impeded; We will and command that such Marriages, to be contracted between English and Irish, and other private Ties and nursing of Infant Children, shall from henceforth cease, and be altogether done away; and that our Justice of Ireland for the Time being shall make diligent Inquiry from Time to Time, of such Marriages between English and Irish, and Ties and nursing of Infants, and of the Adherings together, Forewarnings and Espyals made by such Occasions, if hereafter any shall happen to be contracted or made, and shall punish the Offenders according to the Law and Custom of our Land of Ireland.

IX. The Mayors and other Officers of the Staple shall not exceed their Jurisdiction.

ALSO, Whereas the Mayors, Constables, and other Officers of the Staple of Ireland, by Colour of the Statute of the Staple, do hold Cognizance of, and make erroneous and unjust Processes in, Pleas of Debt and Trespasses, and divers other Complaints, which concern not the Traffick of the Staple, and of old Causes before the Time of the said Staple, like as in Matters and Pleas of the Staple, to the very grievous Damage of our People of those Parts: We will, and do injoin and command, that the said Mayors, Constables, or other Officers of the said Staple, do not hold any other Pleas than those which belong to them, according to the Effect, Form, and Tenor of the abovesaid Statute of the Staple; But if they so do, our said Justice shall from Time to Time thereof make Inquiry, and shall duly punish the Offenders.

X. Champarty forbidden.

ALSO, Whereas certain Officers both Great and Small, and the Serjeants who plead in our Courts there, and sometimes the Clerks of the Courts, notwithstanding the Statutes passed touching Champarties, as well for Gifts and Bargains, as mutual Covenants among themselves and some of the Parties pleading before them, to have the Lands in Plea when they should be recovered, have maintained and defended and aided one of the Parties; so that commonly the Land so in Plea, and recovered through an Error in Justice by the Maintenance and Aid of the aforesaid Serjeants and Officers, hath remained in the Hands of some One of them, without his paying any thing or but little for the same; and thus the Parties be cheated out of their Land, and having lost the Expences incurred by the Cause, have been brought unto Poverty or a State of Misery: We will and command, and do strictly injoin, under grievous Forfeiture to Us, and under the Penalties contained in the said Statutes, That none of our Officers Great or Small, Serjeants or any Clerks whatever, do make or carry on such Maintenances, Defences, or Aids of Parties upon such Occasions against Justice, nor do obtain Land so in Plea, or attempt any Thing else against the Form of the same Statutes.

XI. Common Pleas shall not be pleaded in the Exchequer.

ALSO, Whereas Writs of Debt and Trespass and other Things besides, which ought to be pleaded before our Justices at the Common Law, are commonly pleaded in our Exchequer of Dublin by Writs of the same Exchequer, whereby our Treasurer and Barons, and the Clerks of the same Exchequer, being occupied about such Pleas, are hindered from attending to the Businesses of Us and our People, which belong to their Offices in the same Exchequer by the Law and Custom thereof; whereby the said Businesses are daily delayed, to the grievous Damage of Us and our People; We will, and strictly injoining do command, that such Common Pleas be not pleaded in the said Exchequer, contrary to the Form of the Statute thereof made and provided; and that the Chancellor of the same Exchequer, if he do sign such Common-Law Writs, or do cause or suffer the same to be signed under the Seal of the said Exchequer, for the Contempt done unto Us, and for the Wrong brought upon the Party, shall before our Justice either by our Writ or by Bill, answer as it behoveth him to do.

XII. Bills and Suggestions shall be transmitted, under the Great Seal of England,

ALSO, Whereas through false and untrue Suggestions of certain Persons of Ireland passing to and fro, having barking mouths, and striving to injure the Fame and Reputation of our good Officers and other liege Subjects in those Parts, as well by Bills as Suggestions, not without Scandal, the Affairs of Us and our Land are thereby many Times obstructed; We will and cõmodiferis ꝑgressibꝫ, extiꝑant impedite; Volumꝰ & ꝑcipimꝰ qđ hujusmodi contᵃhenda inꝑ Anglicos & Hiꝺnicos matrimonia, ceꝑeq, private alligacꝺes & nutrimenta infanciũ cessent de ceꝑo & penitus dimittantʳ; & qđ Justiꝯ nr̃ Hiꝺñ, qui ꝑ tempore fuit, de tempore in tempus de hujusmodi matrimoniis inꝑ Anglicos et Hiꝺnicos, alligacꝺoibꝫ, infancium nutrimentis, ac de adhesionibꝫ, ꝑmuniꝯoibꝫ & exploracꝺoibꝫ, hiis occꝺnibꝫ faciend, si que deceꝑo contᵃhi vel fieri continget, diligenꝑ inquirat & puniat sc̃dm legem & consuetudinem ꝓre nr̃e Hiꝺñ delinquentes.

Item cum Majores, Constabularii, & alii Ministri Stapule Hiꝺñ, colore statuti ejusdem stapule, in ꝓtiis debitoꝝ tᵃnsgressionũ & aliaꝝ diꝺsaꝝ querelaꝝ, que mꝯimonia de stapula non conꝯnunt, & de antiquis [accꝺoibꝫ[1]] dc̃am stapulam ꝑcedentibꝫ, sicut in negociis & ꝓtiis de stapula cognoscant, & ꝓcessus faciant erroneos & injustos, in dampnũ populi nr̃i eaꝺem ꝓciũ valde gᵃve: Volumꝰ & ꝓhibendo ꝑcipimꝰ ne dc̃i Majores, Constabularii, aut alii Ministri dc̃e stapule ꝓtia alia teneant nisi ea que ad eos ꝓtinent, sc̃dm vim, formam, & tenorem statuti de stapula supᵃdc̃i; quod si feꝯint, dc̃us Justiꝯ nr̃ de tempore in tempus inde inquirat, & debite puniat excedentes.

Item cũ quidam Ministri, tam majores qᵃm minores ac ꝟvientes in Cuꝛ nr̃is ibidem ꝓtantes, & quandoq, ꝯici placeaꝝ, non obstantibꝫ statutis de cambiptibꝫ editis, tam ꝑpꝑ munꝺa & pacta qᵃm mutuas convencꝺes inꝑ ipꝺos et quosdam ꝓciũ coram eis ꝓtanciũ, de ꝑris ꝓtatis cum recupate fuꝯint hend, alꝑam ꝓtem manutenuꝯint, defenderint & juverint; ita qđ cõiꝑ ꝓra hꝺi ꝓtata, & ꝑ manutenenciam, & defensionem Ministroꝝ & ꝟvientũ ꝑdcoꝝ errante justicia recupata, penes aliquem eoꝝ, nichil ꝓinde solvendo, vel modicũ, remanebat; sicq, ꝓtes ꝓra sua fraudate, fc̃isq, expensis circa ipa ꝓlita ꝓditis, ad pauꝑtatem vel statũ miserũ ducebantʳ: Volumꝰ & ꝑcipimꝰ, & sub gᵃvi forisfc̃ura nr̃a & sub penis eciã in dc̃is statutis contentis districcius inhibemꝰ, ne qui Ministri nr̃i majores vel minores, ꝟvientes aut ꝯici quicũq, hujusmodi manutenencias, defensiones, seu auxilia ꝓtibꝫ hiis occꝺnibꝫ contᵃ justiciam faciant vel impendant, nec hꝺi ꝓram ꝓtatam sic adquirant, seu quicqᵃm aliud attemptent contᵃ formam statutoꝝ eoꝝdem.

Item, cum bꝛ̃ia de debitis, (*) tᵃnsgressionibꝫ, & alia eciam que corã Justiꝯ nr̃is ad cõem legem ꝓtari deberent, in Scᵃcio nr̃o Dubliñ ꝑ bꝛ̃ia ejusdem scᵃcii cõiꝑ ꝓtentʳ, ꝑ quod Theſ & Barones nr̃i, ac ꝯici de eoꝺe scᵃcio circa hujusmodi ꝓlita intendentes, impediti existant, quominꝰ circa nr̃a & populi nr̃i negocia, que ad officia sua in eodem scᵃcio de jure & consuetudine ejusdem scᵃcii ꝓtinent, vacare possint; ꝑ qđ ipa negocia in nr̃i & populi nr̃i gᵃve dampnũ indies retardantʳ: Volumꝰ & firmiꝑ inhibendo ꝑcipimꝰ, ne hujusmodi cõia ꝓlita in dc̃o scᵃcio ꝓtentʳ contᵃ formam statuti inde editi & ꝓvisi, & qđ Cancellaꝛ ejusdē scᵃcii, si hujusmodi bꝛ̃ia ad cõem legem sub sigillo dc̃i scᵃcii consignaꝯit, vel consignari feꝯit vel ꝓmiserit, de contemptu noꝺ fc̃o, ac de gᵃvamine ꝓti illato, coram Justiꝯ nr̃o ꝑ bꝛ̃e nr̃m, vel ꝑ billam respondeat ut [debebit.[3]]

Item, cũ ꝑ falsas & minꝰ veras suggestiones quoꝝdam de Hiꝺñ inꝑcurrenciũ, & labia ħenciũ latrancia, nitenciũq, famam & opinionẽ bonoꝝ ministroꝝ nr̃oꝝ, & alioꝝ fideliũ in illis ꝓtibꝫ, tam ꝑ billas qᵃm suggestiones non sine scandalo depravare, ꝑ qđ nr̃a & ꝓre nr̃e negocia [frequetius[4]] impetuntʳ; Volumꝰ & ordinamꝰ, qđ

[1] occꝺnibꝫ
[2] debebat
[3] &
[4] frequencius

de cēo hujusmodi bille & suggestiones, in scriptis redacte, sub sigillo Cancellar' Angl' p tempe existentis, ad Justic', Cancellar' & Thes' nr̄os Hibn̄ qui p tempe fuīnt trnsmittant'; ut ipi, vocatis ad se aliis quos vocandos viderint, in psencia dcoz' intercurrenciū, sive broccatoz', quos similit' ad Hibn̄ remitti volum⁹, de contentis in billis hujusmodi & suggestionibz pdcis diligent' inquirant; & si bille & suggestiones vitatem contineant, defectus juste corrigant & emendent. Et si ipi intercurrentes & broccatores falsa & mendacia suggesserint, pena debita puniant', ut pena ipa exemplū aliis pbeat a talibz abstinendi.

Item, licet in pacum reformacōibz int' Justic' nr̄m Hibn̄ et Hibnicos, sup guerris hinc inde motis, fuisset cōit' exssatū, qd de dampnis datis p injuriantes, violatis pacibz, vel fcis p invasiones mutuis depdacōibz, fieret bonoz' restitucio, vel debita satisfaccio, dampna passis; ipi tamen Justic' circa satisfaccōem hujusmodi injuriatis Anglicis impendend' hacten⁹ insisre non curabant, p quod dci Anglici hacten⁹ depssi fuant, & ditati exinde hostes, paces eo ciciusr umpe, & depdacōes, ac alia dira mala face, satagebant; Volum⁹ & firmit' pcipim⁹, qd Justic' Hibn̄, qui p tempe fuit, cū p paces & pacum tractatus, seu alias ordinatū fuit, qd hujusmodi satisfaccio fieret hinc & inde, diligent' insistat & intendat ut fiat in casu hujusmodi mutua justicia, & celeris satisfaccio injuriam pacientibz in hac pte.

Item, cū vicecomites Com̄ Hibn̄ nonnulla & divsa debita de viridi cera, & alia currencia p sūmonicōes & extractas, & alias in demandis, de ballivaz' suaz' populis sepe & iterat' vicibz p g'ves districcōes levavint; & nec se in compotis suis onavint, nec solventes, ad dcm sc'cm acquietavint, in nr̄i g've dampnū & depssionem populi manifestam; Volentes remediū appone in hac pte, Volum⁹ & firmit' pcipim⁹, qd Justic' nr̄ Hibn̄ p tempe existens. in singulis Com̄, in quibz suas fecit sessiones diligent', videt ad min⁹ semel in anno, inquirat de hujusmodi debitis, p ipos, de populo sive semel sive pluries vicecomitibz sic solutis, videt tam de tempe pterito put expedire viderit q'm futuro; & om̄ia hujusmodi debita, que p tallias seu acquietancias dcoz' vicecomitū aut subvic', seu svientū eozdem Com̄ gen'alū, seu senescallor' vel ballivoz', aut alioz' ministroz', vel p inquisicōes inde faciend, aut alio modo legitimo constare potit eis p ipos de populo soluta fuisse, una cum nōibz recipienciū & solvenciū irrotulari, & in scriptis redigi, & rotulos illos sub sigillo suo ad sc'cm pdcm mitti faciat; ad effectum ut Thes' & Barones de eodem sc'cio, inspectis rotulis ipis, scrutatisq; rotulis compotoz' ipoz' vic' & alioz' ministroz' pdcoz', ibidem residentibz, ac aliis rotulis & memorandis pmissa tangentibz, vocatis ipis vic' ministris & aliis qui fuint evocandi, eosdem vic' & Ministros de sūmis, quas eos constare potit sic levasse, & se in compotis suis aut alio modo non onasse, eosdem onari, & p concelamentis in ea pte puniri & solventes inde, ad idem sc'cm acquietari, & si iidē debitores unū & idem debitū pluries solvint, eosdem vic' & ministros, seu eoz' heredes aut executores, ad restituend illud ult' unam vicem receptum ipis debitoribz, eoz' heredibz seu executoribz, compelli [faciat[1]] ut est justū. Et si Justic' pdcus circa hec vacare non potit, ex causis variis ppeditus, volum⁹ & pcipim⁹ qd tres vel duo, de fidelioribz & legalioribz hōibz ipoz' Com̄, p cōmissiones sub magno sigillo nr̄o quo utim' in Hibn̄, assignent' ad inquirend, & ad om̄ia alia in eodem articulo contenta faciend & explend in forma pdca.

[1] fac' *Rot. Pat.* [*read* faciant]

ordain that from henceforth such Bills and Suggestions, when put into Writing, shall be transmitted under the Seal of our Chancellor of England for the Time being, to our Justice, Chancellor, and Treasurer of Ireland for the Time being: To the End that they, calling unto them such others as they shall think meet to be called, in the Presence of the said Comers to and fro, or Brocagers, whom we do likewise will to be sent back into Ireland, shall make diligent Inquiry of the Contents of such Bills and Suggestions aforesaid; and if the Bills and Suggestions do contain Truth, they shall duly correct and amend the Defaults. And if the said Comers to and fro, and Brocagers have suggested Falsehoods and Lies, they shall suffer due Punishment, that such Punishment may afford a Warning to others to abstain from such Things.

to the Justice, Chancellor, and Treasurer of Ireland; and Inquiry shall be made thereon.

XIII. On Treaties of Peace concluded between the Justice of Ireland and the Irish, the stipulated Satisfaction shall be strictly exacted.

ALSO, Although in the Treaties of Peace between our Justice of Ireland and the Irish, upon the Wars moved on either Side, it hath been commonly expressed that for Damages caused by Wrong-doers, Peace broken, or mutual Depredations done by Invasions, Restitution of Goods or due Satisfaction should be made to the Sufferers; but the said Justices heretofore have not cared to insist upon the making such Satisfaction to the English Party injured, whereby the said English have been hitherto depressed, and the Enemies being thence enriched have been eager so much the sooner to break the Peace, and to commit Plunders and other direful Evils; We will and stedfastly command, that the Justice of Ireland for the Time being, when it shall have been ordained by Peaces and Treaties of Peace, or otherwise, that such Satisfaction shall be made on either Side, shall diligently insist and take care, that in such Case mutual Justice and speedy Satisfaction be done to the Sufferers of the Wrong in that Behalf.

XIV. The Justice of Ireland shall enquire of the King's Debts paid to the Sheriffs;

ALSO, Whereas the Sheriffs of Counties in Ireland have often and repeatedly by grievous Distresses levied, of the People of their Bailiwicks, many and divers Debts of the Green Wax, and other Debts arising upon Summons and Estreats, and otherwise in Demand; and have neither charged themselves in their Accounts, nor, at the Exchequer aforesaid acquitted them who paid, to our great Damage and the manifest Depression of the People; We being minded to apply a Remedy in this Behalf, do will and stedfastly command, that our Justice of Ireland for the Time being, in every County where he shall hold his Sessions, shall diligently inquire, that is to say once in the Year at least, concerning such Debts so paid to the Sheriffs by those of the People, whether once or more, that is to say, as well for the Time past, as he shall deem expedient, as for the Time to come; and all such Debts, which, by Tallies or Acquittances of the said Sheriffs, or the Under Sheriffs or Serjeants-general of those Counties, or Stewards, or Bailiffs, or other Officers, or by Inquests thereof to be taken or by other lawful Means, it shall be made appear, have been paid to them by those of the People, together with the Names of the Receivers and Payers, he shall cause to be inrolled and put into Writing, and the Rolls to be sent under his Seal to the Exchequer aforesaid: To the end, that the Treasurer and Barons of the same Exchequer, upon inspecting those Rolls, and examining the Rolls there abiding of Accounts of those Sheriffs and other Officers aforesaid, and other Rolls and Remembrances touching the Premises, calling before them the Sheriffs Officers and others who should be called, shall cause them the said Sheriffs and Officers, with the Sums which it may be made appear that they did so levy, without charging themselves in their Accounts or otherwise for the same, to be charged, and for the Concealments in that Behalf to be punished, and the Payers of the same at the said Exchequer to be acquitted, and if the same Debtors shall have paid One and the same Debt many Times, the same Sheriffs and Officers or their Heirs or Executors, to be compelled to restore the same beyond one Receipt to the said Debtors, their Heirs or Executors, as is just. And if the aforesaid Justice cannot attend to these Matters, being hindered from various Causes, We will and command, that three or two of the most trusty and lawful Men of those Counties shall be assigned by Commissions under our Great Seal which we use in Ireland, to inquire, and to do and fulfil all other Things in the same Article contained, in the Form aforesaid.

and certify them with the Names of the Receivers and Payers into the Exchequer.

Treasurer and Barons shall charge the Sheriffs thereon, and acquit the Payers.

The Justice of Ireland shall compel Sheriffs to refund, where the same Debt hath been many Times paid.

XV. Acquittances of Debts in the Exchequer shall be entered on the Rolls of the Remembrancers.

ALSO, Although many of our Debtors have paid their Debts required of them, at the aforesaid Exchequer, and have been discharged and acquitted thereof in the great Rolls of the same Exchequer, yet those Debtors, in the Rolls of the Remembrancers of the same Exchequer, whence the Exaction of those Debts hath issued, are not acquitted of the said Debts; whereby the very Debts paid do almost daily run in Demand, and they being so acquitted, nevertheless under pretext of Exactions issuing from the Remembrancer's Offices, by grievous Distresses, with grievous Expenses and Travail, being compelled to come to the said Exchequer upon this Occasion, and to plead, and to pay large Sums for making Searches in the same Remembrancer's Offices, are miserably depressed; We will therefore, and do stedfastly command, that the Treasurer and Barons of the Exchequer aforesaid, do injoin and cause the Engrossers of the same Exchequer, when any such Debtors shall have been made quit of Debts in the same Rolls, forthwith to shew those Acquittances to the aforesaid Remembrancers, and the said Remembrancers to be thereof in like Manner discharged and acquitted in their Rolls; under a duely grievous Penalty, pecuniary or other, upon those in whom Neglect or Omission in this Behalf shall be found, by our said Justice and others of our Council, in their Discretion, to be imposed.

XVI. The King's Subjects shall not be taken or imprisoned by the Justices without Indictments, or Presentments.

ALSO, Whereas certain of our Justices of Ireland have arrested taken and imprisoned divers Men of Ireland Great and Small, by Writs, Precepts, Bills, and otherwise, at their Will, and without Indictments, Presentments, or due Processes, and have detained them in dark Prisons and bound in Fetters, until through Duresses, Imprisonments, and Pains inflicted, they paid Fines and Ransoms to the Justices and their private Counsellers and Brocagers according to their Pleasure, to their own personal Profit and not ours, against the Form of the Great Charter and other our Statutes thereupon made, and against the Law and Custom of the said Land; So that by Means of such private Counsellers and their Covetousness and personal Profits, our Rights and those of our Crown and our Profits have been often withdrawn, injured, subverted, and lost; and likewise many Persons, as well those indicted, as those not indicted, being imprisoned, have besought the said Justices to have their Deliverances according to the Law and Custom of the said Land, which they could not obtain at the Common Law, until they made and paid in like Manner such Fines and Ransoms to the said Justices and their private Counsellers, to receive for their own Use not ours, for having their Deliverances at the Common Law, or gave them Security for the same as contented them; We will and stedfastly command, that Men being our Subjects, without Indictments, or Presentments, or other due Processes, against the Form of the Charter and Statutes aforesaid and the Law and Custom abovementioned, by our Justices of Ireland, for the Time being, or their Lieutenants, or by their Precepts, or Commands, or by Bills, shall by no Means be taken nor imprisoned. And if the contrary be done, as well for the Time past as in future, against the Offenders, according to the Advice of our Council, at the Complaints of the Party grieved and making Complaint, We will cause timely Remedy to be applied.

XVII. The Justice of Ireland with the Assistance of a Prelate and Earl, the Chancellor and others, shall yearly inquire into the Conduct of inferior Officers.

ALSO, Whereas by the good and discreet Government of Ministers, the Land and People are strengthened, and Affairs have a prosperous Issue, so by their Neglect and Folly unexpected Evils do arise, Wrongs happen, and Businesses are in various ways obstructed, We will, and for the public Weal of Ourselves, and our Land and People of Ireland do ordain, That our Justice of Ireland for the Time being, taking unto him one Prelate and one Earl of the Parts nearest to those where the Inquests following are to be made, and the Chancellor and Treasurer and certain others of the more learned Justices of the Courts, and Barons of the Exchequer there, every Year about the middle of the Year, by the Oath of good and lawful Men, as well of Clerks as Knights and other lawful Men of the County of Dublin, and of other Counties if need be of our said Land of Ireland, concerning the Actings and Doings of our Officers of the aforesaid Land, (the Chancellor, Treasurer, Justices of both Courts and Barons of the aforesaid Exchequer, who are Judges in their own Courts,

Item, q[a]mvis nonnulli debitores nr̄i debita sua, ab eis exacta, ad sc[a]cm p̄dcm solvint, & in magnis rotulis ejusdem sc[a]cii inde exonati fuint & quieti, ip̄i tamen debitores in rotulis rememorator̄ ejusdem sc[a]cii, unde exaccio ip̄or̄ debitor̄ p̄cesserit, de ip̄is debitis minime quietant'; p quod ip̄a soluta debita currunt quasi cotidie in demanda, & ip̄i sic quieti nichilomin⁹, p̄textu exaccionū de officiis rememorator̄ exeunciū, p g[a]ves districcōes cum expensis & laoribꝫ g[a]vibꝫ coacti ad dcm sc[a]cm ea occōne venire & plitare, & sūmas g[a]ves p scrutiniis in eisdem rememorator̄ officiis faciend̄ solv̄e miserabilit̄ deprimunt'; Volum⁹ igit' & firmit̄ p̄cipim⁹, qd Thes & Barones de Sc[a]cio p̄dco injungant & faciant grossarios ejusdem sc[a]cii, cū quicūq; tales debitores de debitis in eisdem rotulis quieti fcī fuint, illas quietancias statim p̄dcis rememoratoribꝫ ostendere, & ip̄os rememoratores in rotulis suis inde similit̄ exonari & quietari; sub g[a]vi pena, illis in quibꝫ negligencia vel omissio in hac pte repta fuit, p dcm Justic nr̄m & alios de consilio nr̄o, vel pecuniaria vel alia debita, p eor̄ moderamine imponenda.

Item, cū quidam Justic nr̄i Hibn̄, div̄sos hōies Hibn̄ majores & minores, p bria, p̄cepta, billas & aliis modis voluntarie, & absq; indcamentis p̄sentacōibꝫ seu debitis pcessibꝫ arestav̄int, cepint & imprisonav̄int, in prisonisq; obscuris & in ferris ligatos [detin̄int,'] donec p duricias, imprisonamenta & inflictas penas, fines & redempcōes cū ip̄is Justic, & eor̄ privatis consiliariis & broccatoribꝫ, p eor̄ voluntatibꝫ, ad ip̄or̄ singulare & non nr̄m cōmodum fec̄int, cont[a] formam Magne Carte & alior̄ statutor̄ nr̄or̄ inde editor̄, & cont[a] legem & consuetudinem dce tre; Ita qd p hujusmodi privatos consiliarios, eor̄q; cupiditates & singularia sua cōmoda, jura nr̄a & corone nr̄e, ac cōmoda nr̄a sepius subtracta, lesa, subv̄sa, & pdita fuint; et eciam nonnulli tam indcati q[a]m non indcati & imprisonati, pecierint a dcis Justic suas deliacōes, sc̄dm legem & consuetudinem dce tre, quas ad eōem legem fiere non pot̄ant, donec fines & redempcōes hujusmodi cū ip̄is Justic & eor̄ privatis consiliariis ad opus suū & non nr̄m pcipiend, p liacōibꝫ suis ad cōem legem hend̄ similit̄ fec̄int & solv̄int, vel inde eis securitatem fec̄int, unde reputav̄int se contentos: Volum⁹ & firmit̄ p̄cipim⁹ qd hōies subditi nr̄i, absq; indcamentis, p̄sentacōibꝫ, aut aliis debitis pcessibꝫ, cont[a] formam carte & statutor̄ p̄dcor̄, ac legem & consuetudinem sup[a]dcas, p Justic nr̄os Hibn qui p tempe erunt, seu eor̄ loca tenentes, aut eor̄ p̄cepta vel mandata seu billas nullaten⁹ capiant', nec imprisonent'. Et si cont[a]riū fcm fuit, tam p tempe p̄tito q[a]m futuro, cont[a] excedentes juxta deliacōem consilii nr̄i, ad querelas g[a]vator̄ & conquerenciū apponi oportunū remediū faciem⁹.

Item, cū p bonū & discretū Ministror̄ regimen tra & populus solident', & pspe negocia pagent', sic p hor̄ negligenciam & incuriam inspata pcurent' adv̄sa oriunt', injurie & expedicōes varie retrocedunt; Volum⁹ & p nr̄a treq; & populi nr̄i Hibn̄ utilitate publica ordinam⁹, qd Justic nr̄ Hibn̄ qui p tempe fuit, assumpto sibi uno Prelato & uno Comite de vicinioribꝫ ptibꝫ ubi subsequentes inquisicōes fieri debent, ac Cancellario & Thes, ac quibusdam aliis de pitioribꝫ Justic placeor̄ & Baronibꝫ de Sc[a]cio ibidem, quolibet anno circa festum mediū p sacrm pbor̄ & leg hōim, tam cleric⁹ q[a]m militum, alioq; leg hōim de Com Dublin̄, & aliis eciam si opus fuit Com, dce tre nr̄e Hibn̄, de gestibꝫ & fcis ministror̄ nr̄or̄ tre p̄dce, Cancellar Thes ac Justic de ut[a]q; placea, & Baronibꝫ de Sc[a]cio p̄dco, qui in suis

[a] detin̄int,

placeis sunt judices & reddunt judicia dumtaxat exceptis, qualit̄ videlt quilibet in officio suo se ħeat & officiū suū regat, & justiciam vel injurias, seu opp̄ssiones vel g^avamina aut dampna, noƀ aut ip̄i populo nr̄o tam in ptib3 q^am in placea sua, colore officii sui seu cōmissionū regiaz̄ sibi inde fc̄az̄, faciat, vel pp̄ muñ justiciam pv̄tat, seu quemq^m gravet, ac de oīb3 circumstanciis & aliis que noƀ dampnū seu p̄judiciū & populo nr̄o injuriam gen̄lent, vel g^avamen, diligent̄ inquirat: & de hiis singulis que sic p inquisic̄oes hujusmodi compta fu̇nt, nos & consiliū nr̄m in Angł, sub sigillo suo & sigillis sic assumptoz̄, ac eoz̄ eciam p quos fc̄e fu̇nt, c̄tificet indilate: injungentes eidē Justic̄ qđ dc̄as inquisic̄oes in forma p̄dc̄a annuatim capiat & nos inde c̄tificet ut est dc̄m. Volum^9 insup & p̄cipiendo ordinam^9, qđ dc̄i inferiores Ministr̄ nr̄i, exceptis majorib3 Ministris ut p̄dc̄m est, videlt eoz̄ singuli in fine cujuslibet anni si opus fu̇it, ac eciam cum remoti fu̇nt ab officiis suis, statim post remoc̄oes suas hujusmodi, coram p̄fato Justic̄ & aliis assumendis p̄dc̄is, de excessib3 suis & aliis sup^adc̄is, tam ad nr̄am q^m populi nr̄i & singulariū psonaz̄ de eodem populo sc̄am, respondeant, & justiciam subeant sc̄dm legem & consuetudinē r̄e nr̄e Hiƀn̄ antedc̄e; quod p dc̄m Justic̄ fieri volum^9 & mandam^9; ac idem Justic̄, & alii sibi assumpti nos & consiliū nr̄m in Angł quociens opus fu̇it eciam c̄tificent de statu ejusdem r̄e nr̄e, & negocioz̄ nr̄oz̄ ibidem, ac gestib3 Ministroz̄ p̄dc̄oz̄.

Item licet tam illi de Hiƀn̄ Anglici oriundi, q^am ip̄i de Angł nati & in Hiƀn̄ conv̄santes, sint veri Anglici, & sub nr̄is degant dn̄io & regimine, & eisdem legib3, jurib3, & consuetudinib3 contant^r, varie tamen dissensiones & manutenencie, r̄one nac̄ois int̄ ip̄os de Hiƀn̄, et illos de Angł natos sunt suborte, & fiunt hinc & inde, unde nōnulla mala hac̄ten^9 contigerunt, & de futuris majorib3 est timend, nisi sup hoc remediū apponat^r; volum^9 & firmit̄ p̄cipim^9 qđ dc̄us Justic̄ nr̄, vocatis ad se Cancellar̄ & Thes̄ nr̄is Hiƀn̄ ac quibusdam Prelatis & Comitib3, quos evocandos novit cum in vicinis ptib3 fu̇nt, de ħ^9i dissentionib3 cum oriant^r & manutenenciis, ac de nōib3 illoz̄ ħ^9i dissensiones & manutenencias, & se ptes facenciū sepe & sepius cum opus fu̇it fervent̄ inquirat; & delinquentes ꝺvato ꝑcessu debito, cum inde convic̄ti seu culpabiles inventi fu̇nt, p imprisonamenta corpoz̄, & g^aves redemp̄c̄oes nobiscū faciend, & alias ꝑut justū fu̇it puniat & castiget: cū tales dissensiones & manutenencie non aliud sapiant q^am scisma, & divisiones, ac ꝑdic̄oes quodāmodo in populo noƀ subdito ꝑcurare.

Item cū firmarii officii Clici m̄cati in Hiƀn̄, lucra ꝑpria sicientes, non dc̄i officii debitū juxta formā statuti inde editi, nec alias ronabilit̄ exequant^r, set cōit̄ p finib3 & aliis redemp̄c̄oib3, mensuras & alia instrumenta ad officiū illud spectancia non vident nec examinant, nec frangunt falsa, nec bona consignant, nec alias delinquentes debite puniunt; & sepissime fines noƀ coram eis fc̄os, & am̄ciamenta ad nos ptinencia in rotulis suis inserta & irrotulata, solutis eis pecunia, aut munib3 aliis ab ip̄is culpabilib3, fines & am̄ciamenta ħ^9i ad nos sic spectancia, ab eoz̄ rotulis vel radendo delent, vel novos scriptos rotulos faciunt, in quib3 ip̄a fines & am̄ciamenta sic deleta non scribunt set ext^a dimittunt, & fines & am̄ciamenta fc̄a & non irrotulata remittunt, & alias falsitates, extorsiones, opp̄ssiones, g^avamina & excessus, tam noƀ q^m populo nr̄o in ptib3 illis quasi p totam Hiƀn̄ faciunt, & ea ac alia p̄dc̄a fecerunt, remiserunt, & ꝑpet^arunt, in nr̄i contemptū &

and award Judgement, alone excepted) that is to say, in what Manner each of them beareth himself in his Office and doeth his Duty, and how he doeth Justice, or Wrongs, or Oppressions, or Grievances, or Damage unto Us or our People, either in the Country or in his Place, by colour of his Office or of Royal Commissions thereof made to him, or for Gifts perverteth Justice or grieveth any Man, and of all Circumstances and other Things that cause Damage or Prejudice to Us and Wrong or Grievance to our People, shall make diligent Enquiry: and of every of those Things which shall be so found by such Inquests, to Us and our Council in England, under his Seal and the Seals of those so associated unto him, and of those likewise by whom the Inquests shall have been made, he shall certify without Delay: We injoining the same Justice that the said Inquests every Year in the Form aforesaid, he do take, and Us thereof do certify as aforesaid. Moreover We will, and do command and ordain, that our said inferior Officers, the greater Officers being as aforesaid excepted, that is to say, each of them at the end of every Year if need be, and also, when they shall be removed from their Offices, forthwith after such their Removals, before the aforesaid Justice and the other Persons aforesaid to be associated with him, for their Excesses and other Matters abovesaid, as well at the Suit of Us as of our People, and of any private Persons of the same People, shall answer, and shall undergo Justice according to the Law and Custom of our aforesaid Land of Ireland; which We will and command to be done by our said Justice; and the same Justice and the others to be associated with him, shall likewise certify Us and our Council in England, as often as need shall be, of the State of our said Land and of our Affairs there, and of the Acts of the Officers aforesaid.

Such Justice &c. shall certify their Proceedings to the King and Council in England.

The inferior Officers shall answer before the said Justice, &c. for their Excesses.

ALSO, Although as well those born in Ireland who are of English Lineage, as those born in England and dwelling in Ireland be true English, and do live under our Dominion and Government, and use the same Laws Rights and Customs, yet divers Dissentions and Maintenances by reason of Birth, between them that are Natives of Ireland and them that are Natives of England have arisen and are made here and there, whence many Evils have heretofore happened, and it is to be feared that greater will happen, unless a Remedy be applied thereto; We will and stedfastly command that our said Justice, calling unto him our Chancellor and Treasurer of Ireland, and certain Prelates and Earls whom he shall deem meet, when he shall be in the Parts contiguous to them, concerning such Dissentions, when they arise, and such Maintenances, and of the Names of those who make such Dissentions and Maintenances and take Part therein, many Times and often, as need may be, shall earnestly inquire; and the Delinquents, when they are thereof convicted or found guilty, after due Process, by Imprisonment of their Bodies and grievous Ransoms to be made to Us, and otherwise as Justice requireth, shall punish and chastise: For that such Dissentions and Maintenances have no other End but to produce, by some Means or other, Schism, Divisions, and Treasons among our Subjects.

XVIII. The Justice of Ireland, &c. shall enquire of Dissentions between the Natives of England, and the Irish of English Extraction;

and punish Offenders.

ALSO, Whereas the Farmers of the Office of Clerk of the Market in Ireland, thirsting for their own private Gains, do not execute the Duty of the said Office, according to the Form of the Statute thereof made, nor otherwise according to reason; but commonly, for Fines and other Payments, do not view and examine the Measures and other Instruments pertaining to that Office, nor break the false nor seal the true, nor otherwise duly punish Delinquents; and very often, when Fines are made to Us before them, and Amercements belonging to Us are inserted in their Rolls and inrolled, do either extinguish such Fines and Amercements to Us belonging, by erasing the same from their Rolls, for Money or other Gifts paid to them by the Offenders, or do make new written Rolls wherein they write not these Fines and Amercements so extinguished, but put them wholly out, and the Fines and Amercements that are made and not inrolled, they remit, and other Deceits, Extortions, Oppressions, Grievances, and Excesses, as well unto Us as our People in those Parts all over Ireland, they do, and the same and other the Things aforesaid, have done, remitted, and perpetrated, in Contempt and Prejudice of Us and

XIX. Frauds and Defaults of the Farmers of the Clerkship of the Market shall be enquired of, punished, and certified by the Justice of Ireland, &c.

to the manifest Destruction and Injury of the said People, and against Justice and the Form of the Statute aforesaid: We will and stedfastly command that our Justice of Ireland for the Time being, in every County and Place through which he shall pass, associating with him a Prelate of the Place, and some Earl or other Nobleman or Knight of that Neighbourhood, concerning the aforesaid Deceits, Extortions, Oppressions, Grievances, and Excesses, and all the Matters abovesaid by those Farmers howsoever committed, and of all their acts and doings in this Behalf, as well at the Suit of Us as of any others whomsoever who shall complain thereof, as well for the Time past as for the Time to come, shall make Enquiry; and against them shall proceed, and the Contempts, Deceits, Extortions, Oppressions, Grievances, and Excesses, and other the Matters aforesaid shall hear and determine, and the Delinquents and Offenders when they shall be found such, shall punish and chastise, according to the Law and Custom of our Land of Ireland before mentioned; and nevertheless to Us and our Council in England, the Names of those so offending, and the Deceits, Extortions, Oppressions, and Grievances and other Matters aforesaid, under the Seals of him the said Justice and of the others associated with him, distinctly and openly, from Time to Time, for good Cause shall certify.

In Witness whereof, &c. Witness the King at Westminster, the Twenty-fifth Day of October.

By the King Himself and Council.

p̄judiciū, & iꝑius populi destrucc̄oem & injuriam manifestas, ac cont[a] justiciam & formā statuti p̄dc̄i: Volum⁹ & firmit̄ p̄cipim⁹ qd Justic̄ nr̄ Hibn̄ qui p tempe fuit, in singulis Com̄ & ptib⁹ p quos t[r]nsierit, associatis sibi Prelato loci, & aliquo Comite seu alio nobili vel Milite eaꝫdem pciū vicinaꝫ, de p̄dc̄is falsitatib⁹, extorsionib⁹, opp̄ssionib⁹, g[r]vaminib⁹, & excessib⁹, & om̄ib⁹ sup[a]dc̄is p iꝑos firmarios quomodolibet ppet[a]tis, & de iꝑoꝫ fc̄is & gestib⁹ in hac pte, tam ad sectam nr̄am q[a]m alioꝫ quoꝫcūq, inde conqueri volenciū tam de tempe p[r]rito q[a]m futuro inquirat; & p̄sus eos pcedat, & contemptus, falsitates, extorsiones, opp̄ssiones, g[r]vamina & excessus, ac alia p̄dc̄a audiat & t̄minet, necnon delinquentes & culpabiles cum tales inventi fu̇int castiget & puniat, sc̄dm legem & consuetudinem t̄re nr̄e Hibn̄ antedc̄as; & nos & consiliū nr̄m in Angl̄ de nō̄ib⁹ sic culpabiliū, ac de falsitatib⁹, extorsionib⁹, opp̄ssionib⁹ & g[r]vaminib⁹ & aliis p̄dc̄is sub sigillis iꝑius Justic̄ & sibi associatoꝫ, distinc̄te & apte de tempore in tempus nichilomin⁹ c̄tificet ex c̄ta causa. [In cujus, &c. T. R. apud Westm̄ xxv. die Oct̄obr̄.

p iꝑm Regem & Cons̄.]

[1] In cujus rei testimoniū has ℔as nr̄as fieri fecim⁹ patentes. Teste me ipo apud Westm̄ vicesimo quinto die Oct̄obr̄, anno regni nr̄i Angl̄ t[r]cesimo p[r]mo, regni v̄o nr̄i Franc̄ decimo oct̄avo.

Nos autem Ordinac̄oes Voluntates & p̄cepta p̄dc̄a, ac om̄ia alia & singl̄a in ℔is p̄dc̄is cōtenta rata h̄entes & g[r]ta, ea p nob & heredib⁹ nr̄is quantum in nob est, acceptam⁹ approbamus, ratificam⁹ & confirmam⁹, put l̄re p̄dc̄e rationablit̄ testant[r]. In cuj⁹, &c. T. R. apd Westm̄ xxvj die Junii.

Rot. Pat. 17 *Ric. II.*

Anno 34° EDWARDI, III. A.D.1360-1.

Statutū fc'm in p'liamēto tento apud Westm̄; anno rrxxiiij^to.

In Stagino Rotuli.

A STATUTE made in the Parliament holden at Westminster; In the Thirty-fourth Year.

Ex magno Rot. Stat. in Turr. Lond. m. 10.

THESE be the Things which our Lord the King, the Prelates, Lords, and the Commons have ordained in this present Parliament, holden at Westminster, the Sunday next before the Feast of the Conversion of St. Paul, to be holden and published openly through the Realm (1)

I. Who shall be Justices of the Peace. Their Jurisdiction over Offenders; Rioters; Barrators;

FIRST, That in every County of England shall be assigned for the keeping of the Peace, one Lord, and with him three or four of the most worthy in the County, with some learned in the Law, and they shall have Power to restrain the Offenders, Rioters, and all other Barators, and to pursue, arrest, take, and chastise them according their Trespass or Offence; and to cause them to be imprisoned and duly punished according to the Law and Customs of the Realm, and according to that which to them shall seem best to do by their Discretions and good Advisement; and also to inform them, and to inquire of all those that have been Pillors and Robbers in the Parts beyond the Sea, and be now come again, and go wandering, and will not labour as they were wont in Times past; and to take and arrest all those that they may find by Indictment, or by Suspicion, and to put them in Prison; and to take of all them that be [not [2]] of good Fame, where they shall be found, sufficient Surety and Mainprise of their good

Vagabonds;

They may take Surety for good Behaviour;

CES sont les choses queles nr̄e Seign[r] le Roi Prelatz Seign[rs] & la cōmune ont ordinez en cest p̄sent plement, tenuz a Westmustier le Dymenge p̄schein devant la feste de la Conv̄sion de Seint Poul, a tenir & publier ov̄tement pmy le Roialme; Cestassavoir:

Primement q̄ en chescun Countee Dengleṫre soient assignez, p[r] la garde de la pees, un Seign[r], & ovesq̄ lui trois ou quatre des meultz vauez du Countee, ensemblement ove ascuns sages de la ley, & eient poer de restreindre les mesfesours, rioto's, & touz aut's baretto's, & de les p'suir, arester, p̄ndre, chastier, selonc leur t̄spas ou mesprision; & de faire emprisoner, & duement punir selonc la ley & custumes du Roialme, & selonc ce qils v̄ront mieltz affaire p lo[r] discrecions & bon avisement; & auxint de eux enformer & denquere de touz ceux qi ont este pilours & robeours es pties de dela, & sont ore revenuz & vont vagaunt, & ne voillent t[r]vailler come ils soleient avant ces hours; & de p̄ndre & arester touz ceux qils p[r]ront trov̄ p enditement, ou p suspecion & les mettre en prisone & de p̄ndre de touz ceux [qi sont [1]] de bone fame, ou ils v̄ront trovez, souffisant seurete & meinprise de

[1] *; that is to say:*

[2] All Translations read thus.

[1] qi ne sont *Lib. Scacc. Westm. IX; MS. Cott. Nero C. I; and the Old Printed Copies.*

lor bon port, devs le Roi & son poeple, & les auts duement punir; au fin q̃ le poeple ne soit p tieux rioto's troble nendamage ne la pees enblemy, ne marchantz nauts passantz p les hautes chemyns du Roialme destourbez ne abaiez du pil q̃ p'ra avenir de tieux meffesours: & auxint doier & t̃miner a la suite le Roi, tote male de felonies & tspas faites en meisme le Countee, selonc les leys & custumes avantdites; & q̃ briefs doier & t̃miner soient g̃ntes selonc les estatuz ent faites, mes q̃ les Justices q̃ enserront assignez soient nomez p la Court, & nemie p la ptie. Et le Roi voet q̃ totes gẽrales enquerres avant ces heures g̃ntez deinz seign'ies queconqes p' les meschiefs & opp̃ssions q̃ ont este faites au poeple p tieles enquerres, cessent outriement & soient repellez: Et q̃ fins q̃ sont affaire devant Justices, p' tspas fait p ascune psone, soient resonables & justes, eant regard au q̃ntite du tspas & les causes p' queles eles sont faites.

Item acorde est q̃ prises desore ne soient faites p auts q̃ p les p'veours le Roi, ma Dame la Roine & le Prince lour eisne filtz; & q̃ si Purveours des auts facent tieu prises soit fait de eux come des gentz qi fount sanz garaunt, & lour fait jugge come chose faite contre la pees & la ley de la tre; & soient tieux qi se fount p'veours en la male duement puniz.

Item des p'veances faites al oeps la Royne & du Prince, du polaill & dautres menuz choses, soit paiement fait en poigne s' la prise; & des auts grosses p'veances deinz le Mois ou sis simaignes es Countees ou ils tront prises; & q̃ le nombre de tieux p'veours soit abregge, en tant come bonement p'ra p' eide & quiete du cõmune poeple.

Item porce q̃ viscontes & auts ministres sovent arraient lour panels en tote male denquestes des gentz pcurez & pluis lointifs du Countee, qi nont conissance du fet dount lenqueste tra prise; Acorde est, q̃ tieu paneles soient faites des plus pscheins gentz, qi ne sont pas suspectes, ne pcurez; & q̃ les viscontes, Coroners & auts ministres qi font alencontre soient puniz devant les Justices qi la dite enqueste pndra, selonc la q̃ntite de leur tspas, sibien devs le Roi come devs la ptie, p' la q̃ntite du damage qil ad suffert en tieu male.

Item est accorde, q̃ ceux qi tront assignez de garder la pees eient poair denquere des mesures & auxint des pois, selonc lestatut ent fait lan du regne nre Seign' le Roi vint & quint, en quel est contenu la forme q̃ sensuit. Porce q̃ tsg̃nt damage & desceit est fait au poeple p tant q̃ pluseurs Marchantz usent dachater & poiser leines & auts marchandises p une pois qest appelle Aunsell; Acorde est & establi, q̃ celle pois appelle Aunsell entre achatour & vendour soit de tout ouste, & q̃ chescun vende & achate p balances; issint q̃ les balances soient owels & les leins & auts marchandises owelement poisez p droit pois, et q̃ le sac de leine ne poise q̃ vint & sis pres, & chescun pere poise quatorze livres, & q̃ lestater de la balance ne encline ne a lune ptie ne al autre, & q̃ le pois soit acordant al estandard del Escheqer; et si nul Achatour face al encontre, soit grevousement puny sibien a la suite de ptie come a la suite nre Seign' le Roi.

Item come contenu soit en la g̃nt Chre, q̃ une mesure soit use pmy tut Engletre, la quele Chre nad mie este tenue bien en ce point avant ces heures; si est acorde & assentu, q̃ totes les mesures, cest assavoir bussel demy bussel & Peck, galon potel & quart, p tout Engletre deinz franchise & dehors

Behaviour towards the King and his People, and the other duly to punish; to the Intent that the People be not by such Rioters or Rebels troubled nor endamaged, nor the Peace blemished, nor Merchants nor other passing by the Highways of the Realm disturbed, nor [put in the Peril which may happen[1]] of such Offenders: And also to hear and determine at the King's Suit all Manner of Felonies and Trespasses done in the same County according to the Laws and Customs aforesaid; and that Writs of Oyer and Determiner be granted according to the Statutes thereof made, and that the Justices which shall be thereto assigned be named by the Court, and not by the Party. And the King will, that all general Inquiries before this Time granted within any Seigniories, for the Mischiefs and Oppressions which have been done to the People by such Inquiries, shall cease utterly and be repealed: and that Fines, which are to be made before Justices for a Trespass done by any Person, be reasonable and just, having Regard to the Quantity of the Trespass, and the Causes for which they may be made.

and may hear and determine Felonies and Trespasses.

Commissions of general Inquiries shall cease.

Fines for Trespasses shall be reasonable.

II

ITEM, It is accorded, That [Taking[2]] shall not be from henceforth made by other than the Purveyors of the King, of the Queen, and of the Prince their eldest Son; and that if any other Man's Purveyors make such Takings, it shall be done of them as of People which do without Warrant, and their Deed judged as a Thing done against the Peace and the Law of the Land; and such as do make themselves Purveyors in such Manner shall be duly punished.

No Purveyance except for the King, the Queen, and the King's eldest Son.

III.

ITEM, Of Purveyances made to the Use of the Queen, and of the Prince, of Poultry and of other small Things, Payment shall be made in Hand upon the Taking; and of other great Purveyances within the Month or Six Weeks, in the Counties where they shall be taken; and that the Number of such Purveyors be abridged in as much as conveniently may, for the Aid and Quietness of the Common People.

When Purveyances for the Queen &c. shall be paid for.

IV.

ITEM, Because that the Sheriffs and other Ministers often do array their Panels in all Manner of Inquests, of People procured, and most far off [from[3]] the Counties, which have no Knowledge of the Deed whereof the Inquest shall be taken; It is accorded, That such Panels shall be made of the next People, which shall not be suspect nor procured; and that the Sheriffs, Coroners, and other Ministers which do against the same shall be punished before the Justices that take the said Inquest according to the Quantity of their Trespass, as well against the King as against the Party, for the Quantity of the Damage which he hath suffered in such Manner.

Panels of Inquests shall be of the Neighbourhood.

V.

ITEM, It is accorded, That they which shall be assigned to keep the Peace shall have Power to inquire of Measures, and also of Weights, according to the Statute thereof made the five-and-twentieth Year of the Reign of our Lord the King, wherein is contained the Form that followeth; "Whereas great Damage and Deceit is done to the People, for that divers Merchants use to buy and weigh Wools and other Merchandises, by a Weight which is called Auncel; It is accorded and established, That this Weight called Auncel betwixt Buyers and Sellers, shall be wholly put out; and that every Person do sell and buy by the Balance, so that the Balance be even, and the Wools and other Merchandizes evenly weighed by right Weight, so that the Sack of Wool weigh no more but xxvi. Stones, and every Stone to weigh xiv. l. and that the Beam of the Balance do not bow more to the one Part than to the other; and that the Weight be according to the Standard of the Exchequer; and if any Buyer do the contrary, he shall be grievously punished, as well at the Suit of the Party, as at the Suit of our Lord the King."

Justices of the Peace shall inquire of Weights and Measures, according to the Statute 25 *Edw. III. stat.* 5. *ch.* 9.

VI.

ITEM, Whereas it is contained in the Great Charter, that one Measure be used through the Realm, which Charter hath not been holden well in this Point before this Time; It is accorded and assented, That all the Measures, that is to say, Bushel, Half Bushel, Peck, Gallon, Pottle, and Quart, through (4) England, within

All Measures shall be according to the King's Standard, &c.

[1] put in fear by peril which might happen
[2] Takings [3] of [4] *all*

Contents of the Quarter. Measures of Corn shall be striked; saving the Rents of Lords.

Franchises and without, shall be according to the King's Standard; and the Quarter shall contain Eight Bushels by the Standard and no more; and every Measure of Corn shall be striked without Heap, saving the Rents and Ferms of Lords, which shall be measured by such Measure as they were wont in Times past; and the Purveyors of the King, the Queen, and of all other, shall make their Purveyances by the same Measure striked, and in the same Manner: And that at all Times when need shall be, the King shall assign certain Justices in every County of England, to enquire, hear, and determine upon the Points aforesaid, and so make Punishment thereupon according to every Trespass, as well at the Suit of the Party as at the King's Suit; so always that all Manner of Franchises be saved to the Lords in all Points: which Things the King will that they shall be cried in every County, within Franchise and without, betwixt this and the Feast of Easter next coming, to the Intent that they be holden and kept in all Points; and that the said Keepers of the Peace inquire and punish all those whom they shall find to have done against the said Statute, after the said Proclamation made. And also the said Proclamation shall be made in Cities, Boroughs, and Towns enfranchised, that the said Articles be holden and kept in all Points, upon the Pains contained in the Statute, made the xxviii. Year of our Sovereign Lord the King that now is, touching the City of London, and other Cities and Boroughs of the Realm; and if they keep not the said Articles, the King in their Default shall do the same Statute, made of the same Pains, to be put in Execution against them.

Justices shall be assigned to enquire hereof:

Saving of Franchises.

Proclamation hereof.

See Statute 28 Edw. III. chapter 10.

VII. An Attaint in Plea real.

ITEM, It is accorded against the Falshood of Jurors, That every Man against whom they pass, may have Attaint, as well in Plea Real as Personal; and that the Attaint be granted to the Poor, which will affie, that they have nothing whereof to make Fine, saving their Countenance, without Fine, and to all other by easy Fine.

VIII. Proceedings against Jurors taking Reward to give their Verdict.

ITEM, That in every Plea, whereof the Inquest or Assise doth pass, if any of the Parties will sue against any of the Jurors, that they have taken of his Adversary, or of him, for to give their Verdict, he shall be heard, and shall have his Plaint by Bill presently before the Justices before whom they did swear, and that the Juror be put to answer without any Delay; and if they plead to the Country, the Inquest shall be taken presently: And if any Man, other than the Party, will sue for the King against the Juror, it shall be heard and determined as afore is said; and if the Juror be attainted at the Suit of other than the Party, and maketh Fine, the Party that sueth shall have Half the Fine; and that the Parties to the Plea shall recover their Damages by the Assessment of the Inquest; and that the Juror so attainted have Imprisonment for one Year, which Imprisonment the King granteth that it shall not be pardoned for any Fine. And if the Party will sue by Writ before other Justices, he shall have the Suit in the Form aforesaid.

Imprisonment of Jurors shall not be pardoned for any Fine.

IX. Labourers shall not be punished by Fine under the Statute 25 *Edw. III. stat. 2. ch. 5*; but only by Imprisonment;

ITEM, It is accorded in this present Parliament, That the Statute of Labourers of old Times made, shall stand in all Points, except the pecuniar Pain, which from henceforth is accorded, that the Labourers shall not be punished by Fine and Ransom; and it is assented, That the said Statute shall be enforced in Punishment of Labourers, in the Form following, that is to say; that the Lords of Towns may take and imprison them by fifteen Days, if they will not justify themselves; and then to send them to the next Gaol, there to abide till they will justify them, by the Form of the Statute: And that the Sheriff, Jaylor, nor other Minister shall not let them to Mainprise nor Bail, and if he do, he shall pay to the King, Ten Pound, and to the Party an Hundred Shillings: nor that the Sheriff, Jailor, nor other Minister shall take no Fee nor Porterage of Prison, nor at his entering, nor at his going out, upon the same Pain. And that as well Carpenters and Masons be comprised in this Ordinance, as all other Labourers, Servants, and Artificers; and that the Carpenters and

Penalty on bailing them.

Carpenters and Masons included.

soient acordantz a lestandard nr̃e Seign' le Roi; et contiegne le quarter oyt bussels p lestandard, & nient plus; & soit chescune mesure de ble rase saunz comble, sauvez les rentes & fermes des Seign's queles soient mesures p tiele mesure come eles soleient avant ces heures; et facent les p'veours le Roi, ma Dame la Roine & touz aut̃s lour p'veances p mesmes les mesures rases & en mesme la man̄e: & a totes les foitz q̃ mestier s̄ra le Roi assignera ċteins Justices en chescune Countee, denquere & doier & t̄miner s' les pointz susditz, & de faire s' ce due punissement, selonc chescuny t̄spas, sibien a la suite de ptie come a la suite le Roi; issint totesfoitz q̃ tote man̄e des franchises soient sauvez as Seign's en toutz pointz: les queles choses le Roi voet q̃ soient criez en chescune Countee, deinz franchise & dehors entre cy & la Pasch̄ p̄schein avenir, au fin qeles soient gardez & tenuz en toutz pointz; & q̃ les dites gardeins de la pees enquergent & punissent touz ceux qils trov̄ont qav̄ont fait contre le dit estatut, ap̄s la dite pclamacion faite. Et soit aussint meisme la pclamacion faite en Citees, Burghs, & villes enfranchez, q̃ les ditz articles ysoit tenuz et gardez en touz pointz, s' les peines contenues en lestatut fait lan du regne nr̃e f' le Roi vint et oytisme, touchant la Citee de Londres, & aut̃s Citees & Burghs du Roialme; & sils ne gardent les ditz articles, le Roi en lour defaute ferra mettre meisme lestatut fait de meismes les peines en execucion contre eux.

Item acorde est contre la fauxine des Jurrours q̃ chescun h̄me contre qi ils passent puisse avoir latteint, sibien en plee Reale come psonele; & q̃ latteint soit g'nte as povres qi voillent affier qils nont riens de ent faire fin sauve lour contenance saunz fin, & as touz aut̃s p eise fin.

Item q̃ en chescun plee dount lenqueste ou lassise passe si aucun des pties voudra suir v̄s ascuns des Jurro's qil ad pris de son adv̄ser ou de lui, p' dire son verdit, soit oy; & eit sa pleinte meintenant p bille devant les Justices devant queux ils jurrerunt, & q̃ le jurrour soit mis a respoundre saunz nul delai; & sils pledent au paiis, q̃ enqueste soit pris maintenant: et si nul h̄me autre q̃ la ptie vodra suyr p' le Roi v̄s le jurrour, soit oy & t̄mine come dissus est dit; et si le jurro' soit atteint a suite dautre q̃ la ptie & face fin, q̃ la ptie q̃ seust eit la moite du fin; et q̃ les pties au plee recov̄ent lour damages p taxacion de lenquest, & q̃ le Jurro' issint atteint eit la prisone dun an quel emprisonement le Roi g'nte q̃ ne soit pdone p' nul fin. Et si la ptie voudra suier p brief devant aut̃s Justices eit sa suyte, en la forme avantdite.

Acorde est en ceste p̄sent plement q̃ lestatut des laborers auncienement fait estoise en touz pointz; forspris la penance pecuniere quel desore est acorde q̃ les laborers ne soient pas punitz p fins & raunceons; & est assentuz q̃ le dit estatut soit efforce en punissement des laborers en forme q̃ sensuyt; q̃ les Seign's des villes les puissent p̄ndre & emprisoner p quinz jours, sils ne se voillent justicer, & adonqes le maunder au p̄scheine gaole illoeqes a demorer tanq; ils se voillent justicer p forme de lestatut; Et q̃ le viscont Gaoler nautre ministre ne lui lesse a nulle mainprise nen baille et sil face qil paie au Roi x. li. & a la ptie C. s. ne q̃ le visconte Gaoler nautre ministre ne p̄igne nul fee ne port̄age du prison ne a son entree ne a son issir s' mesme la peine. Et qen ceste ordinance soient comprises sibien Carpenters & Maceons, come touz aut̃s laborers s̄vantz & artificers; & q̃

les Carpenters & Maceons pignent desore salarie p la jo'neie, et nemie p simaigne nen autre mañe; et q̃ les chiefs mestres des Carpenters & Maceons pignent le jo' iiij d. & les aut's iij. ou ij. d. solonc ce qils vaillent: et q̃ totes alliances & covignes des Maceons & Carpenters, & congregacions Chapitres ordinances, & ẽmentz entre eux faites ou affaires, soient desore anientiz & anullez de tout: Issint q̃ chescun Maceon & Carpenter de quel condicion qil soit, soit arte, p son Mestre a qi il sert, de faire chescun ovaigne q̃ a lui appent affaire, ov de fraunche pere ou de grosse pere, et aussint chescun Carpent̃ en son degre; mes bien lise a chescun Seign' & autre de bargainer & covenancer de lour ovaignes en grosse ou tiels laborers & artificers q'nt leur plerra issint qils pfo'nent tielz ovaignes bien & loialment, selonc les bargaine & covenant ove eux ent faitz.

Item des laborers & artificers qi salloignent hors de lo' ẽvices en autre ville ou en autre Countee, q̃ la ptie eit sa suite devant Justices, & q̃ le visconte lui pigne au p̃m jour come est contenu en lestatut, sil soit trove, & face de luj execucion come dessus est dit; et sil reto'ne qil nest mie trove eit lexigende au p̃m jour, & ce suy tanq̃ il soit utlaie; & aps la utlagarie soit brief de mesmes les Justices mande a qeconq̃ visconte Dengleterre q̃ la ptie vodra suir de lui pndre, & lui mander au visconte du Countee ou il est utlae; et q'nt il ẽra illoeqes mesne, eit illoeqes la prison tanq̃ il se voet justicer, & eit fait gree a la ptie; Et nientmeins p' sa fauxine soit ars en ie frount dune fer fait & fo'me au mañe de la ẽre F, en signe de Fauxine si la ptie greve le vodra suyer; mes soit celle penance de larson mis en respit tanq̃ al Seint Michel pschein avenir, & adonques ne soit mie execute sil ne soit p avis des Justices, & demoerge le fer en la garde du viscont. Et q̃ viscont & chescun Baillif de franchise soit entendant au pleintif de mettre ceste ordinance en execucion s' la peine avantdit: et q̃ nul laborer nartificer ne pigne nulle mañe de lower le jo' de festes.

Item q̃ si nul laborer ẽvant ou artificer salloigne a ascun Citee ou Burgh, & la ptie pleintif veigne au Meire & Baillifs & demande la livee de son ẽvant, qils lui facent la livee sanz delay; & sils le refusent de faire, eit le pleintif sa suite devers les Maire & Bailiffs devant les Justices de laborers; et si de ce soient atteintz paient au Roi x. li. & a la ptie C. s.

Item, come la cõe se eit pleint des Eschetours, queux p colour de lour office ont seisiz plusours ẽres & tenementz come forfaites au Roi p' treson s'mys en psones mortes, q̃ unq̃s ne furent atteintes en lour vies; le Roi en ad bon regard: Mes porce qil & ses pgenitours ont este seisiez des forfait'es de guerre de tout temps, le Roi ne se voet ouster de tiel droit, dont il trova sa Corone seisie, & cel droit voet continuer de tieux forfait'es escheues en son temps & en temps son piere, en la mañe come ad este usee; nientmains de sa g'ce especiale il voet & g'unte q̃ de tieux forfait'es escheues en temps son ael & touz ses pgenito's pdevant a pluistost qenquest ent ẽra reto'ne en Chancellerie p Eschetour ou autre qi poair ad dequere, q̃ le tenant ne soit pas ouste de sa possession, mes soit garny p Scire fac̃ destre au ctein jour de respoundre a cel Scire fac̃ sil voudra: Et si nulle tiele forfait'e soit ore, ou ẽra seise de cel temps, q̃ la main le Roi ent soit ouste: Issint totes voies qen touz autres cas de forfait'e de treson des psones mortz

Masons take from henceforth Wages by the Day, and not by the Week, nor in other Manner; and that the chief Masters of Carpenters and Masons take Fourpence by the Day, and the other Three-pence or Twopence according as they be worth: And that all Alliances and Covines of Masons and Carpenters, and Congregations, Chapters, Ordinances and Oaths betwixt them made, or to be made, shall be from henceforth void and wholly annulled: so that every Mason and Carpenter of what Condition that he be, shall be compelled by his Master to whom he serveth, to do every Work that to him pertaineth to do, or of free Stone, or of rough Stone; and also every Carpenter in his Degree; but it shall be lawful to every Lord or other, to make Bargain or Covenant of their Work in Gross, with such Labourers and Artificers when please them, so that they perform such Works well and lawfully according to the Bargain or Covenant with them thereof made.

Wages of Carpenters and Masons.

Their Conspiracies annulled.

X. Punishment of fugitive Labourers;

ITEM, of Labourers and Artificers that absent them out of their Services in another Town, or another County, the Party shall have the Suit before the Justices, and that the Sheriff take him at the first Day, as is contained in the Statute, if he be found, and do of him Execution as afore is said; and if he return, that he is not found, he shall have an Exigend at the first Day, and the same pursue till he be outlawed, and after the Outlawry a Writ of the same Justices shall be sent to every Sheriff of England, that the Party will sue, to take him, and to send him to the Sheriff of the County where he is outlawed; and when he shall be there brought, he shall have there Imprisonment, till he will justify himself, and have made gree to the Party; and nevertheless for the Falsity he shall be burnt in the Forehead, with an Iron made and formed to this Letter F. in Token of Falsity, if the Party grieved the same will sue; but this Pain of Burning shall be put in respite till Saint Michael next ensuing, and then not executed, unless it be by the Advice of the Justices; and the Iron shall abide in the Custody of the Sheriff. And that the Sheriff [and some Bailiff of the [1]] Franchise be attending to the Plaintiff, to put this Ordinance in Execution, upon the Pain aforesaid: And that no Labourer, [Servant,[2]] nor Artificer shall take no Manner of Wages the festival Days.

Process of Outlawry;

Imprisonment;

Burning in the Forehead.

No Wages on Festivals.

XI. Mayors and Bailiffs shall deliver up fugitive Labourers.

ITEM, If any Labourer, Servant, or Artificer, absent himself in any City or Borough, and the Party Plaintiff come to the Mayor and Bailiffs, and require Delivery of his Servant, they shall make him Delivery without Delay; and if they refuse to do the same, the Party shall have his Suit against the Mayor and Bailiffs before the Justices of Labourers; and if they be thereof attainted, they shall pay to the King Ten Pounds, and to the Party One hundred Shillings.

XII. Seizure of Lands on Surmise of Treason in dead Persons.

ITEM, Whereas the Commons have complained them of Escheators, which by Colour of their Office have seised divers Lands and Tenements as forfeit to the King for Treason surmised in dead Persons, which were never attainted of Treason in their Lives; the King thereof hath good Regard; but because he and his Progenitors have been seised of the Forfeitures of Wars of all Times, the King will not exclude himself of such Right, whereof he found his Crown seised, and will continue his Right of such Forfeitures fallen in his Time, and in the Time of his Father, in the Manner as hath been used: Nevertheless, of his special Grace he will and granteth, That of such Forfeitures fallen in the Time of his Grandfather, and all his Progenitors before, as soon as an Inquest shall be thereof returned in the Chancery by the Escheators, or other which have Power to inquire, that the Tenant shall not be put out of his Possession, but shall be warned by Scire facias, to be at a certain Day to answer to [his[3]] Scire facias, if he will: And if any such Forfeiture be now, or shall be seised of the same Time, that the King's Hand shall be out thereof: So always, that in all other Cases of Forfeiture for Treason of dead Persons

Forfeitures of Wars reserved to the King.

Process thereon.

[1] *every Bailiff of* [2] Not in Original. [3] that *MS. Tr.* 2.

No Forfeiture for Treason of Persons not attainted in their Lives. Forfeitures of Felons reserved.

not attainted or judged in their Lives, their Heirs, nor their Land Tenants shall not be impeached nor challenged; nor of any other Forfeiture, except the Forfeitures in old Time judged after the Death of the Persons, by Presentment in Eyre, or in the King's Bench, as of Felons of themselves and other.

XIII. Escheators shall take Inquests by good People; by Indenture; and not privily.

ITEM, It is accorded, That every Escheator shall take his Inquests of his Office of good People and lawful, which be sufficiently inherited and of good Fame, and of the same County where the Inquiry shall be; and that the Inquests so taken be indented betwixt the Escheators and the Jurors; and if it be otherwise done, that such Inquests be holden for void: And the King will, that such Inquests be taken in good Towns openly, and not privily.

XIV. Offices found before Escheators may be traversed in Chancery, and tried in the King's Bench.

ITEM, It is accorded, That where Lands or Tenements be seised into the King's Hand by Office of the Escheator, containing that the King's Tenant made thereof Alienation without the King's Licence, or that the King's Tenant by Knights Service died seised of the Lands and Tenements aforesaid in his Demesne as of Fee, and his Heir within Age; and after the Cause certified into the Chancery, and he whose Lands be seised come into the Chancery, and will traverse the Office, which was first taken by the King's Commandment, [and [1]] that the said Lands be not seisable; he shall be thereto received, and the Process shall be sent into the King's Bench [to try according to the Law,[2]] and further to do Right.

XV. Alienations made by the Tenants of K. Henry III. confirmed.

ITEM, It is accorded, That the Alienations of Lands and Tenements made by People which did hold of King Henry, great Grandfather to the King that now is, or of other Kings before him, to hold of themselves, that the Alienations shall stand in their Force; saving always to our Lord the King his Prerogative of the Time of his Grandfather, his Father, and of his own Time.

XVI. Nonclaim of Fines shall be no Bar.

ITEM, It is accorded, That the Plea of Nonclaim of Fines, which from henceforth be to be levied, shall not be taken nor holden for any Bar in Time to come.

XVII. Freedom of Trade in Ireland.

ITEM, It is accorded, That all the Merchants, as well Aliens as Denizens, may come into Ireland with their Merchandises, and from thence freely to return with their Merchandises and Victuals without Fine or Ransom to be taken of them; saving always to the King his antient Customs and other Duties.

XVIII. English Land-owners in Ireland may import and export from and to England.

ITEM, That the People of England, as well Religious as other, which have their Heritage and Possessions in Ireland, may bring their Corn, Beasts, and Victuals to the said Land of Ireland, and from thence to recarry their Goods and Merchandises into England, freely without Impeachment, paying their Customs and [their Devoirs[3]] to the King.

XIX. No Custom for Canvas to pack Wool in.

ITEM, Because that Merchants, Aliens, and Denizens, by an evil Custom risen of late, have been constrained to pay Custom and Subsidy for their Canvas, with which their Wools be packed; It is accorded, That such Canvas with their Corners shall from henceforth be allowed to them without paying Custom or Subsidy for the same.

XX. Exportation of Corn forbidden.

ITEM, It is accorded, That the Passage of Corn shall be defended in all the Parts of England, so that none have Licence nor Warrant to pass with such Corn in anywise, unless it be to Calais or Gascoign, or to other special Places, which it behoveth that the King [do to be warned[4]] of the Corn of England, and that at his own Ordinance (1).

XXI. Confirmation of a Grant by the King and Council to Denizens to transport Wool beyond Sea.

ITEM, Whereas in the Parliament late made upon the Ordinance of the Staple in England, it was ordained that Merchants Aliens should [bring[5]] Wools and other Merchandises of the Staple over the Sea, and that no Merchant Denizen should make Passage of them; and after by the Assent of the King and of his Council for certain Enchesons, Passage was granted of the said

[1] Omit this word.
[2] to be tried *MS. Tr.* 2.
[3] *other Duties*
[4] *cause to be furnished*
[5] *carry*
[6] and licence

nient atteintz ne juggez en lo' vies, ne soient pas lo' heires ne lour tre tenantz empeschez ne chalengez; ne de nulle autre forfait'e forsprises les forfait'es auncienement ajuggez ap's la mort des psones p p'sentementz en Eyre ou en Baunk le Roi, come des felons de soi & autres.

Item accorde est, q̃ chescun Eschetour pigne ses enquestes de son office des bones gentz & loialx, q̃ soient enheritez soufficealment & de bone fame, & de mesme le Countee ou lenquerre se ferra; & q̃ les enquestes issint prises soient endentez entre les Escheto's & les jurro's, et si autrement soit fait q̃ tieles enquestes soient tenuz p' nulles: & le Roi voet q̃ tieles enquestes soient prises en bones villes, ovtement & nemie en prive.

Item acorde est, q̃ ou tres ou teñtz soient seisiz en la main le Roi p office descheto', contenant q̃ le tenant le Roi en fist alienacion sanz conge le Roi, ou q̃ le tenant le Roi p svice de Chivaler morust seisi des tres & teñtz avantditz en son demesne come de fee, & son heir deinz age, & puis la cause tifie en la Chauncellerie & cellui qi tres sont seisitz, viegne en Chauncellerie, & voet t'nverser loffice q̃ fut primes pris p mandement du Roi, q̃ les dites tres ne soient mie seisables, soit [il a ceo receu, & soit le pces mande en Banc le Roi a trier, & outr̃ faire droit.[2]]

Item acorde est, q̃ les alienacions des tres & teñtz faites p gentz q̃ tenoient du Roi Henr̃, Besael au Roi qore est, ou des autres Rois devant lui, a tenir de eux mesmes, q̃ les alienacions estoisent en lour force; sauvant totesfoitz a nre Seign' le Roi sa p'rogative, du temps son ael, son piere, & de son temps demesne.

Item est acorde, q̃ plee de noun claym des fins, q̃ sont [desore[3]] a lever, ne soit pris ne tenuz p' baare, en temps avenir.

Item acorde est, q̃ touz marchantz sibien aliens come denzeins puissent venir en Irlande ove lour marchandises & dilloeqes retourner f'nchement, ove lo' marchandises & vitailles, saunz fin ou rauneeon p'ndre de eux; sauve totesfoitz au Roi ses auncienes custumes & aut's devoirs.

Item, q̃ gentz Dengletre sibien Religiouses come autres, qont lour heritages & possessions en Irlande, puissent mener lo' bledz bestes & vitailles a la dite tre Dirland, & dilloeqes remener lour biens & marchandises en Engletre, franchement & saunz empeschement; paiant lour custumes & aut's devoirs au Roi.

Item porce q̃ les Marchantz aliens & denzeins p une malveise custume leve de novel ont este constreintz de paier custume & subside p' lo' canevace deinz quel lo' leines sont packes; Acorde est q̃ tieu canevace ensemblement ove lo' corners lo' soient desore alloues, sanz ent paier custume ou subside.

Item acorde est q̃ passage des bledz soit defendu en touz les Portz Dengletre, siq̃ nulle eit congie ne garaunt de passer tielx bledz en nulle mane, sil ne soit a Calays & Gascoign, ou as aut's lieux especiales, queux il covient q̃ le Roi face garnir des bledz Dengletre, & ce a sa ppre ordinance & congie.

Item come en une plement nadgairs fait, sur lordinance de lestaple en Engletre, estoit ordine q̃ Marchantz aliens duissent mesner leines & les aut's marchandises de lestaple outre meer, & q̃ nulle Marchant denzein les duisse passer; Et puis, p assent du Roi & de son conseil p aucunes tieines enchesons fuist

[1] Writtten on an Erasure.
[2] Interlined on the Roll.

g^nte passage des dites marchandises as denzeins, & s^r ce ꝑclamacion fait, & maunde a les custumeres es diu̇ses portz de les soeffrir passer, tanq̇ a un ċtein temps, paiant le custume & subside come aliens; Et porce q̃ les dites marchandes denzeins se doutont destre empeschez en temps avenir, p^r lour marchandises qils ont issint passez ꝑ u̇tue de tiel g^aunt & ꝑclamacion, porce qils estoient faites hors du ꝑlement; le Roi voillant p'voier p^r lour seurte en celle ptie ad ratifie & conferme en ceste p̈sent ꝑlement les passages qils ont fait des leines & lo^r auẗs marchandises as pties outre meer, puis les g^aunt & ꝑclamacion avantdites; & les g^aunte autiel passage desore saunz chalange ou empeschement de nully; issint totesfoitz qils paient les dites custume & subside tanq̇ al Seint Michel p̈schein avenir, & de mesmes la feste tanq̇ al Seint Michel p̈schein suant, come ils ont paiez avant ces heures puis q̃ le dit subside estoit g^ante.

Item ordine est en cest ꝑlement q̃ queconq̇ ꝑsone q̃ troeve Faucon, ẗselet lanere ou lan̈et austoure ou autre Faucoun, q̃ soit ꝑdu de lo^r Seign^r, q̃ maintenant il lapporte au viscount du Countee, & q̃ le visconte face ꝑclamacion en toutes les bones villes du Countee qil ad un tiel Faucoun en garde; et si le Seign^r qi le ꝑdi, ou aucun des soens, viegne p^r lui chalanger & proeve resonablement q̃ ce est a son Seign^r, paie p^r ses coustages & eit le Faucon; & si nully viegne deins les quatre Mois p^r lui chalenger, qadonqes le visconte eit le Faucon, fesant gree a cellui qi le prist, sil soit simples hōme; et sil soit gentils hōme destat davoir Faucoun, q̃ le visconte rebaille al lui le dit Faucoun, ꝑnant de lui resonables coustages p^r le temps qil lavoit en garde: & si null eit pris tiel Faucoun, & le concele du Seign^r a qui il estoit, ou a ses Fauconers, ou qi q̃ lemporte du Seign^r, & de ce soit atteint, eit la prison de deux anns, & rend au Seign^r le pris du Faucoun issint concele ou emporte, sil eit de quoi; et si noun, eit pluis longe demoeure en prison.

Merchandises [of [1]] Denizens, and thereupon Proclamation made and sent to the Customers [to [2]] divers Ports, to suffer them to pass till a certain Time, paying the Customs and Subsidies as Aliens; And because that the said Merchants Denisens doubteth them to be impeached in Time to come for their Merchandises, which they have so passed by virtue of such Grant and Proclamation, forasmuch as they were made out of the Parliament; the King, willing to provide for their Surety in this Behalf, hath ratified and confirmed in this present Parliament the Passage that they have made of Wools, and of their other Merchandises to the Parts beyond the Sea, after the Grant and Proclamation aforesaid; and granteth to them such Passage from henceforth without Challenge or Impeachment of any, so always that they pay the said Custom and Subsidy till St. Michael next coming, ([3]) as they have payed before this Time after that the said Subsidy was granted.

XXII. Stray Hawks, &c. *shall* be carried to the Sheriff.

ITEM, It is accorded in this present Parliament, That every Person which findeth a Faulcon, Tercelet, Laner, or Laneret, ([4]) or other [Hawk [5]] that is lost of their Lord, that presently he bring the same to the Sheriff of the County, and that the Sheriff make Proclamation in all the good Towns in the County, that he hath such a Hawk in his Custody; and if the Lord which lost the same, or any of his People come to challenge it, and proveth reasonably that the same is his Lord's, let him pay for the Costs, and have the Hawk; and if none come within Four Months to challenge it, that then the Sheriff have the Hawk, making gree to him that did take him, if he be a simple Man; and if he be a Gentleman, and of Estate to have the Hawk, that then the Sheriff redeliver to him the Hawk, taking of him reasonable Costs for the Time he had him in his Custody: And if any Man take such Hawk, and the same conceal from the Lord whose it was, or from his Faulconers, or whosoever taketh him from the Lord, and thereof be attainted, shall have Imprisonment of Two Years, and yield to the Lord the Price of the Hawk so concealed and carried away, if he have whereof, and if not, he shall the longer abide in Prison.

Proclamation.

The Owner shall have the Hawk;

or on his Default, the Sheriff;

or the Finder if he be a Gentleman.

Punishment for taking a Hawk, and concealing it, Imprisonment.

[1] to *MS. Tr.* 2. [2] in *MS. Tr.* 2.
[3] and from the same feste til to Seynt Mighel then next ensuying, *MS. Tr.* 2. [4] *Goshawk*
[5] *The Old Translations and MS. Tr.* 2. *have the Word* Fawcon *instead of* Hawk *throughout the Chapter.*

Anno 35° EDWARDI, III. A.D. 1360-1.

Ordinacio facta de Allece.

An Ordinance of Herring.*

Ex magno Rot. Stat. in Turr. Lond. m. 12, *d.*

EDWARD ꝑ la g^ace de Dieu Roi Dengleṫre, Seign^r Dirlande & Daquitaigne, a touz ceux as queux cestes ṫres vendront, saluz. Coment q̃ nadgairs a ꝑcurement dascuns fesantz entendre a nous & nr̃e conseil q̃ ꝑ cause q̃ les hostes de nr̃e ville de g^and Jernemuṫh, qi herbigent les Peschours venantz illoeq̃s od lour harang en temps de feire, ne voleient soeffrir les ditz Pescheours vendre lo^r harang ne meller de la vente dicelle einz le vendent a lour volentee demesne, si chier come ils voleint, & donerent as Pescheours ce q̃ lo^r plust si q̃ les Pescheours se retreherent de venir illoeqes, & le harang feust mys a plus

([1])THOUGH that late at the Procurement of some doing Us and our Council to understand, that because that the Hosts of our Town of Great Yarmouth, which lodge the Fishers coming there with their Herring, in the Time of the Fair, will not suffer the said Fishers to sell their Herrings, nor to meddle with the Sale of the same, but sell them at their own Will as dear as they will, and give the Fishers that ([2]) pleaseth them, so that the Fishers do withdraw themselves to come there, and the Herring was set at a greater Dearth than it was

See Statute 31 *Edw. III. chapter* 1, 2.

[1] *Edward by the Grace of God, King of England, Lord of Ireland, and Acquitain, to all to whom these Letters shall come, Greeting.*

[2] that *MS. Tr.* 2.

* These Titles are from the Printed Copies and Translations: No Title appears on the Statute Roll.—This Ordinance is entered on the Back of Membrane next following that on which is entered the Duplicate of the 'Ordinacio de Pisce salito de Blakeney,' 31 Edw. III. Statute 3; ante page 355.

before: amongst other Things it was ordained by Us and our Council, that the said Fishers of Herring should be free to sell their Herring to all People that will come to the said Fair of (1) Yarmouth, without any Disturbance of their Hosts or any other; and when the said Fishers would sell their Merchandises in the Port, they should have their Hosts with them, if they would be there, and in their Presence, and in the Presence of other Merchants openly should sell their Merchandises to whom they pleased; and if other Merchants present would have Part of the said Merchandises, every of them should have [for his Part upon the taking,[2]] after the Rate of the same Merchandises so sold; and the said Sale shall be made from the Sun-rising till the Sun going down, and not before nor after; and that no Hosteler, nor other, buy Herring to hang in his House by Covin, nor in other Manner, at an higher Price the Last than Forty Shillings: Nevertheless, Because it is shewed to Us and to our Council by Petition in this present Parliament, that the Sale of Herring is much decayed, and the People greatly endamaged by the Points aforesaid; that is to say, that many Merchants coming to the Fair, as well Labourers and Servants, as other, do bargain for Herring, and every of them by Malice and Envy increase upon other, and if one proffer Forty Shilling, another will proffer Ten Shillings more, and the Third Sixty Shillings, and so every one surmounteth other in the Bargain, and such Proffers extend to more than the Price of the Herring upon which the Fishers proffered it to sell at the Beginning: And when every Man (3) claimeth his Part of the Herring for the Price accorded, [he[4]] shall have his Part, and the Herring shall be so divided amongst them, that the Fisher is so much grieved and delayed in the gathering of his Money, that he should demand of so many Persons, that he leeseth his [Mart[5]] and the Advantage of his Fishing; and also herein, that no fresh Herring is put to Sale but from the Sun-rising till the Sun going down, and not before nor after, which is to the great Loss of Fishers, and appairing of the Herring, and Damage of the People that shall buy the same; for the Fishing is more by Night than by Day, and often it chanceth, that the Fishers be [so long and so charged,[6]] that they come to the Town after Sun going down, or little before, so that they cannot sell their Herring in the Time for the Sale limited, so that they must abide all the Night and the Day after upon the Sale of their Herring, and lose many [Marts and Profits[7]] of their Fishing: We, perceiving the Mischiefs and Grievances aforesaid, by the Advice and Assent of our Parliament, will and grant, that it shall be lawful to every Man, of what Condition that he be, Merchant or other, to buy Herring openly, and not privily, at such Price as may be agreed betwixt him and the Seller of the same Herring; and that no Man enter in Bargain upon the buying of the same, till he that first cometh to bargain shall have an End of his Bargain agreeable to the Seller, and that none (8) increase upon other during the first Bargain, upon Pain of Forfeiture to Us the Double of his Proffer, but every Man shall have the Herring so bought according to the Bargain thereof made. And that every Fisher may deliver and sell his Herring and Fish at every [Mart,[9]] when he cometh to the said Town of Great Yarmouth, without any Disturbance or Impeachment, notwithstanding any Ordinance made to the contrary before this Time. In Witness whereof We have caused these our Letters Patents to be made. Given at Westminster the Twentieth Day of February, in the Five and Thirtieth Year of our Reign of England.

By the King Himself and Council in Parliament.

Inconveniencies arising from the recited Statute;

All Persons may buy Herring openly, but not privily.

No Man shall interrupt another in a Bargain of Herring; nor bid upon him.

Fishermen may sell their Herring as soon as they arrive.

[1] Great
[2] his part thereof for the price,
[3] who
[4] Omit this Word.
[5] Tides
[6] so distant and so laden,
[7] Tides, and the profit
[8] proffer
[9] Tide

g'nt chiertee q̃ devant ne feust, entre aut̃s choses ordine estoit p nous & nr̃e conseil q̃ les ditz Pescheours de harang ꝺroient francs de vendre lo' harang as toutes gentz q̃ vorroient venir a la dite faire de g'nd Jernemuth, sanz nulle desturbance de lo' hostes ou aut̃s queconqes; et quant les ditz Pescheours voudroient vendre en port lo' marchandises, aꝺoient lo' hostes ovesq̃ eux sils y voudroient estre, & en lo' p̃sence & en p̃sence dautres marchantz en apert vendroient lo' marchandises a qi q̃ lo' plust, et si autres marchandz p̃sentz voudroient avoir part des dites marchandises chescun aꝺoit ent sa part p' le pris solonc laffierant de mesmes les marchandises issint venduees, & ꝺroit la dite vente faite de solail levant tanq̃ a solail rescours, & nemie devant napres; et q̃ nul hoste nautre nachat̃eit harang p' pendre en meson p couvine nen autre maṅe plus haut le last de qarant soldz: nientmeinz p' ceo q̃ monstre est a nous & a nr̃e conseil, p peticion en cest p̃sent plement, q̃ la vente de harang est mout encherri & le poeple g'ntement endamage p les pointz susditz; Cest assavoir q̃ plusurs marchantz venantz a la feire, sibien laborers & ꝺvantz come aut̃s, bargainent le harang, & chescun de eux p malice & p envie encrest sur autre, et si un pfre qarant soldz, un autre pfre dys soldz plus, & le tiertz seisant soldz, & issint chescun s'mont aut̃ en le bargaine, et tiels pfres se extendent a plus q̃ le pris del harang p' quel le Pescheour le tendist a vendre a comencement; et q'nt chescun q̃ clam̃a part del harang p' le pris acorde aꝺa sa part, & le harang ꝺra issint depti entre eux, le Peschour est tante greve & tarie p' la coilliet de son argent quel il demanderoit des tantes p̃sones, qil pde ses marrez & lavantage de sa pescherie; & aussint en ceo, q̃ nul harang fresch̃ ne soit mis a vent, fors de solail levant tanq̃ a solail rescours, & nompas devant napres, ceo est a g'nte pte des Pescheours, & apeirement del harang, & damage du poeple q̃ la chat̃a; qar le pescherie est plus p nuyt q̃ p jour & sovent avient q̃ les Pescheo's sont si loins & si chargez qil viegnent a la ville aꝺs le solail rescours, ou poi devant, issint qils ne p'ront lo' harang vendr̃ au temps s' ceo limite, si q̃ il lo' convendra demˈer tout la nuyt & le jo' aꝺs s' la vente de lo harang, & pderont pluseurs marrez, & le pfit de la Pescherie: Nos attendantz les grevances & meschiefs avantditz, p avis & assent de nr̃e dit plement, volons & g'ntons, q̃ bien lise a chescun hõme, de quel condicion qil soit marchant ou autre, dachatre harang, en apt nompas privement, a tiel pris come p'ra estre acorde entre lui & le vendour de mesme le harang; et q̃ nul entre en bargain s' lachate de harang, tant come celui q̃ vient p'mer p' bargainer aꝺa fini son bargain, greable a vendour; & q̃ nulli pfre encrees s' autre durant le primer bargain, s' peine de forfaire deꝺs nous le double de son pfre; mes eit chescun le harang issint achate solom son bargain ent fait; et q̃ chescun Pescheour peusse vendr̃ & deliṽer son harang & pesson a chescun marre, q'nt il viendra a la dite ville de Grant Jernemuth, sanz ascun desturbance ou empeschement, nient contresteant nulle ordinance avant ces houres faite au contrair. En tesmoignance de quelle chose no' avons fait faire ces noz tres patentes. Doñ a Westm̃ le vintisme jour de Feṽer lan de nr̃e regne trente quint.

p ipm Regē & Conš in pliamento.

Anno 36° EDWARDI, III. A.D. 1362.

In Margine Rotuli.

Statutum fc'm in p'liamento tento apud Westm̄; in quindena Sc'i Mich'is Anno tricesimo sexto.

A STATUTE MADE IN THE PARLIAMENT HOLDEN AT WESTMINSTER; IN THE FIFTEENTH OF SAINT MICHAEL, IN THE THIRTY-SIXTH YEAR.

Ex magno Rot. Stat. in Turr. Lond. m. 8.

AL honour & pleisance de Dieu, & amendement des outrages grevances & oppressions faitz au poeple, & en relevement de lour estat, le Roi Edward, a son plement tenuz a Westmonstier a la quinzime Seint Michel, lan de son regne trente sisme, a la requeste de sa cōmune p lour peticion baillez a lui en le dit plement, p assent des Prelatz, Ducs, Countes, Barons & autres g^ntz, au dit plement assemblez, ad g^unte p^r lui & ses heirs a touz jours les articles souzescriptz:

Primement q̄ la g^nde Chartre & la Chartre de la Foreste, & les autres estatutz, faitz en son temps & en temps de ses ꝑgenitours, soient bien & fermement tenuz & gardez, es touz pointz.

Item p^r la grevouse pleinte qad este fait des Purveours des vitailles del Hostel le Roi, la Roigne, & lour eisne filz, & des aut̄s Seign's & Dames du realme, le Roi de sa ꝑpre volente, sanz mocion des g^untz ou cōes, ad g^nte & ordene en ease du son poeple, q̄ desore nul hōme du dit Realme eit prise, fors soulement lui mesmes & la Roigne sa compaigne: et outre, del assent avantdit est ordeigne & establi q̄ s^r tieux p'veances desore affaire p^r les hosteulx le Roi & la Roigne soit ꝑst paiement fait en poigne, cestassavoir le pris p^r quel autiels vitailles sont venduz cōement, en marchees environ: et q̄ le heignous noun de p'veour soit chaunge & nome Achatour; et si le chatour ne purra bonement acorder ove le vendour, de ce q̄ il enbusoignera, adonqes les prises q̄ se ferront p^r les ditz deux hostelx soient faites p veue & tesmoignance & appciacion des Seign's, ou lour baillifs, Conestables, & quatre ꝑdeshōmes de chescune ville, & ce p endenture affaire entre les achatours & les ditz Seign's, ou Baillifs, Conestables & quatre hōmes, contenante la quantite de la prise & le pris & des queux persones: et q̄ les prises soient faites en covenable & ease mañe, sanz duresce, reddour, manaces, ou autre vilenie; & q̄ les prises & achatz soient faitz es lieux & places ou greindr̄ plentee yad, & ce en temps covenable; et q̄ plus ne soit pris q̄ ne busoigne en sa sesone, p^r les ditz deux hosteulx; et q̄ le noumbre des achatours soit amenuse en taunt come hōme purra bonement; et q̄ tieux soient achatours q̄ soient sufficiantz de respondre au Roi & au poeple, & q̄ nul de eux eit depute; et q̄ les cōmissions soient ensealees du g^nt seal, & chescun demy an restitutz en la Chancellerie, & autres de novel faites, et q̄ en les dites cōmissions soit comprise toute la matere & mañe

TO the Honour and Pleasure of God, and Amendment of the outragious Grievances and Oppressions done to the People, and in Relief of their Estate, King Edward at his Parliament holden at Westminster in the Fifteenth of St. Michael, the Six and thirtieth Year of his Reign, at the Request of his Commons by their Petition delivered to him in the said Parliament, by Assent of the Prelates, Dukes, Earls, Barons, and other Great Men in the said Parliament assembled, hath granted for him and his Heirs for ever the Articles under-written.

I. Confirmation of the Great Charter, &c.

FIRST, That the Great Charter and the Charter of the Forest, and the other Statutes made in his Time, and in the Time of his Progenitors, be well and surely holden and kept in all Points.

II. Purveyance shall be made only for the King and Queen.

ITEM, For the grievous Complaint which hath been made of Purveyors of Victuals of the Houses of the King, the Queen, their eldest Son, and of other Lords and Ladies of the Realm, the King of his own Will, without motion of the Great Men or Commons, hath granted and ordained in ease of his People, that from henceforth no Man of the said Realm shall have any Taking, but only Himself and the Queen his Companion: And moreover, of the Assent aforesaid, It is ordained and established, That upon such Purveyances from henceforth to be made for the Houses of the King and the Queen, ready Payment shall be made in Hand, that is to say, the Price for which such Victuals be sold commonly in the Markets about: And that the heinous Name of Purveyor be changed, and named Buyer; and if the Buyer cannot well agree with the Seller of that which he shall need, then the Takings which shall be made for the said Two Houses, shall be made by the View, Testimony, and Appraisement of the Lords, or their Bailiffs, Constables, and four good Men of every Town, and that by Indenture to be made betwixt the Buyers and the said Lords or Bailiffs, Constables and four Men, containing the Quantity of their Takings, and of the Price, and of what Persons; and that the Takings be made in convenient and easy Manner, without Duress, Compulsion, Menace, or other Villainy; and that the Takings and Buyings be made in such Places where greatest Plenty is, and that in a meet Time; and that no more be taken than shall be needful in the Season for the said Two Houses; and that the Number of the Buyers be diminished in as much well may; and that such be Buyers which be sufficient to answer to the King and his People, and that none of them have Deputy; and that the Commissions be sealed with the Great Seal, and every Half Year redelivered into the Chancery, and other newly made; and that in the said Commissions be comprised all the matter and manner

Payment in ready Money.

Name of Purveyors changed to Buyers.

By whom and how Appraisement shall be made.

Takings shall be made without Menaces; and where there is plenty.

Buyers shall be Men of sufficient Estate; and their Commissions be renewed Half-yearly.

of their Takings and Buyings; and that the said Commissions be made upon the End of the said Parliament, and then all the other Commissions of Purveyors heretofore made, be wholly repealed; and that no Man be bound to obey to the Buyers of other Lords against their Agreement and Will, nor to the Buyers of the said Houses, unless they make ready Payment in Hand, as before is said; and that no Man be put in Contempt because of Disobedience made in this Behalf; and that the Takings of all manner of Corn and Malt for the said Two Houses, be measured by Measure according to the Standard, striked, and not by Heap; and for the Carriages of the said Corn and Malt, and for all manner of Takings and Buyings to be made for the said Two Houses, ready Payment be made in Hand in the same Manner as for the Takings and Buyings aforesaid; and that there be no more Carriage taken than needeth, and shall be necessary in this Behalf: And if any Buyer after the new Commissions made, make any Takings or Buying, or taking of Carriage in other Manner than is comprised in their said Commissions, he shall have Punishment of Life and Member, as in other Statutes is ordained of Purveyors.

None bound to obey Buyers without ready Payment.

Corn shall be measured by Strike.

Present Payment shall be made for Carriage.

Penalty on taking otherwise than according to Commission; Felony.

III. Punishment of a Buyer taking a Bribe.

ITEM, That no Buyer of Victuals, nor Taker of Carriages, take nor receive of any a Gift or any other Thing, for sparing to be made, nor shall not charge nor grieve any Man by Occasion of such Takings, Buyings and Carriages, for Hatred, (1) Evil Will, or procuring; and if he do, and be thereof attainted at the Suit of the Party, he shall yield to the Party his Treble Damage, and shall have Imprisonment of Two Years, and also be ransomed at the King's Will, and after forswear the Court: And if the Party will not sue, he that will sue for the King shall have the Third Peny of that which shall be recovered for his Labour, and nevertheless the Buyer and Taker shall have the Pain as before is said in the same Article; and that every Buyer upon his Accompt shall declare and [divide[2]] severally all the Takings and Buyings of every County, Town, Village, and Person.

IV. Commissions to inquire of Buyers and Takers.

ITEM, To restrain the Malice and Falshood of Buyers of Victuals and Takers of Carriages, Commissions shall be made to Two good Men and lawful, of every County, and the Third shall be of the King's House, named in the said Commissions, so that if any of the Three come not, the Two shall proceed to enquire of the Behaviour and Acts of the said Buyers and Takers, and how much the same Buyers have taken and bought, and how much Carriage the said Takers have taken severally of every Town (3) or singular Persons; and to hear and determine the Contempts, Outrages, and Trespasses done in this Behalf, as well at the King's Suit, as at the Suit of every Man that will complain of them: And for Information to be made to the said Justices of the Things aforesaid, the Steward, Treasurer, and Controller of every of the said Two Houses, shall assemble and call before them all the Clerks and other Officers whatsoever they be, of every Office of the said Two Houses, and shall see the Receipts of the Parcels provided in the Country and dispended in the said Two Houses: And at every Quarter or Half Year, they shall certify in the Chancery the Parcels taken in every Town, and of every Person, and the Chancellor shall send this Certificate to the Justices which shall be so assigned; and if it be found in the Country by Evidence of their Indentures, or in other Manner, that they have taken more than they have delivered into the said Two Houses, and that they have not paid for that which they have taken, at the Suit of the Party, or at the King's Suit, he shall have Pain of Life and Member, as afore is said: And that this Ordinance extend and hold Place as well against the Purveyors for the great Horses of the said Two Houses, as against the Buyers and Takers before-named.

The Steward, &c. of the Households shall ascertain the Receipts of Purveyances; and certify them into Chancery; and the Chancellor to the Commissioners.

Extended to Purveyors for Great Horses.

[1] Envy, [2] *distinguish* [3] *Village*

de lour prise & achatz; et q̃ mesmes les cõmissions soient faites s^r la fin du dit plement, & adonqes toutes les autres cõmissions des Purveo's devant faites de tout repellez; et q̃ nul hõme soit tenuz de obeir as achatours des autres Seign^rs, contre lour gree & volente, ne a les achatours des ditz deux hosteulx sils ne facent p̃st paiement en poigne come devant est dit; ne q̃ nul hõme soit mis en contempt p̃ cause de desobeissance faite en celle ptie: et q̃ les prises des toute manꝛe des bledz & brese p^r les ditz deux hosteulx soient mesurez p̃ mesure acordante a lestandard, rasee & nient coumble; et q̃ p^r les cariages des ditz bledz & brese, & p^r toutes aut's manꝛes des prises & achatz affaire p^r les ditz deux hosteulx, soit p̃st paiement fait en poigne, en mesme la manꝛe come p^r les prises & achatz susditz; et q̃ plus de cariage ne soit pris q̃ ne busoigne & soit necessaire celle ptie: et si nul achatour, aꝑs les novelles cõmissions faites, face ascunes prises ou achatz ou p̃nour de cariage, en autre manꝛe q̃ nest compris en lour dites cõmissions, eit punissement de vie & de membre; come en autres estatutz est ordene des Purveours.

Item q̃ nul achatour des vitailles, ne p̃nour des cariages, p̃gne ne receive de nullui doñ nautre bienfait, p^r disport faire, ne ne charge ne ne greve nul hõme p̃ cause des tieux prises, achatz, & cariages, p^r haour, envie, male volente, ou p̃curement; et sil face & de ce soit atteint a suyte de ptie, rende a la ptie ses damages au treble, & eit la prisone de deux anns, & soit reint a la volente le Roi, & puis forsjure la Court: et si la ptie ne vorra sure, eit celui q̃ le vorra sure p^r le Roi le tierz deñ de ceo q̃ serra recov̄i p^r son t^vail, et nientmeins eit lachatour & p̃nour la penance come devant est dit en mesme ceste article: et q̃ chescun achatour, s^r son acompt, declare & distinge sev̄alement touz les prises & achatz de chescun Countee, ville, villee, & p̃sone.

Item p^r restreindre la malice des achatours des vitailles & p̃nours des cariages, soient cõmissions faites as deux bones gentz & loialx de chescun Countee, & le tierce soit del hostel le Roi, nome en mesmes les cõmissions; issint q̃ si aucun de trois ne veigne, q̃ les deux aillent avant, denquere du port & faitz des ditz achatours & p̃nours, & combien mesmes les achatours ont pris & achate, & combien de cariage les ditz p̃nours ont pris sev̄alement de chescun ville, villee, ou singuleres p̃sones; & doier & t̃miner les contemptz, outrages & t̃spas, faitz celle ptie sibien a la suyte le Roi come a la suite de chescun qi se vorra de eux pleindre: et p^r informacion faire as ditz Justices des choses susdites, se assemblent le Seneschal, Tresorer, Countreroullour de chescun des ditz deux hosteux, & appellent devant eux touz les Clercs & autr̄s offic̄s queconqes, du chescun office de mesmes les deux hosteulx & veient les resceites des p̃cels p'veuz en paiis & despenduz en les ditz hosteulx: et a chescun quart̄ ou demy an c̄tifient en la Chancellerie les p̃celles prises en chescune ville & de chescune p̃sone, & le Chanceller face mander celle c̄tificacion a les Justices q̃ s̄ront issint assignez; et sil soit trove en paiis, p̃ evidence de lour endentures ou en autre manꝛe, qils ont pris plus qils nount liv̄e en les ditz deux hosteulx, et qils nount paie p^r ce qils ount pris, a suite de ptie ou a suite le Roi, eit la penance de vie & de membre, come devant est dit: et q̃ ceste ordenance se estende & tiegne lieu sibien dev̄s les Purveours p^r les g^auntz chivaulx des ditz deux hosteulx, come dev̄s les achatours & p̃nours avantnomez.

Item q̃ nul hõme des ditz deux hosteulx tiegne plus des chivaulx en sa liv̄e ou les hosteulx ꝺront q̃ nest ordeigne p̄ estatut del hostel le Roi; et si nul face autrement, soit des chivaulx trovez outre le noumbre a lui attitle p̄ le dit estatut fait come le statut voet: et q̃ nul hõme des ditz deux hosteulx de queconq̄ estat ou condicion qil soit eit Purveour ou Forgoer de faire nulle p̄veance ne prise p̄ nul hõme des ditz deux hosteulx, mes q̃ eux ou lour gentz achatent ce q̃ lour busoigne de eux q̃ le voillent de lour bon gree vendre, & paient p̄stement en main selonc ce qils purront acorder ove le vendour; et sils facent en autre man̄e, soit fait de eux tiel punissement come dessus est dit des achatours: et q̃ Veneours, Fauconers, Serjantes darmes, & touz autres q̃ sont as gages ou appertenance as ditz deux hosteulx, eient mesme la penance sils veignent a lencountre.

Item q̃ nul Seign̄r Dengleṫre ne nul autre du dit roialme, de quel estat ou condicion qil soit, forpris le Roi & la Roine, face prise p̄ lui ne nul de ses gentz en acun man̄e de nul man̄e des vitailles, mes achatent ce q̃ lour busoigne de ces q̃ le voillent vendre de lour bon gree, & p̄ ce paient p̄stement en poigne selonc ce qils purront acorder ove le vendour: et si les gentz des Seign̄s ou des aut̄s facent en autre man̄e & de ce soient atteintz, soit fait de eux tiel punissement de vie & de membre come ordeigne est des achatours.

Item coment q̃ ordeigne soit p̄ lestatut de lestaple, q̃ les Meirs & Conestables de les Estaples eient jurisdiccion & conissance deins les villes ou les estaples sont, des gentz & de toute man̄e des choses touchantz lestaple, & des felonies mahemes & t̄spas faitz deinz lestaple; acorde est & assentu q̃ les ditz Meirs & Conestables av̄ont conissance tantsoulement des dettes, covenances, & cont̄actes & toutes aut̄s plees touchantz marchandie & seurete de marchandie, entre Marchant & Marchant, q̃ sont p̄ Marchantz conuz; & p̄ces des felonies & des touz aut̄s plees sibien deinz lestaple come dehors, soient a la cõe leye, come feurent devant la fesance del estatut de lestaple, nient contresteant mesme lestatute; sauve toutesfoitz q̃ les marchantz aliens soient ils pleintifs ou defendantz, puissent sure lour pleintz & quereles sibien de trespas come autres les quels qils voillent, devant le Meir de lestaple p̄ la ley de lestaple ou aillours a la cõe ley come est contenu en le dit estatut de la Staple: et q̃ le Roi & touz autres Seign̄s deinz lour Seign̄ies eient & enjoient lour fraunchises, jurisdiccions & privileges, come ils avoient avant mesme lestatut fait; issint toutesfoitz q̃ le Meir de lestaple eit poair de p̄ndre reconissance des dettes de queconqes p̄sones, soit il Marchant soit il autre, en mesme la man̄e come est contenuz en mesme lestatut de lestaple.

Item le Roi a la priere de la cõe monstrantz a lui p̄ lour peticion coment Chapelleins sont devenuz trop chiers puis la pestilence, a g̃nde grevance & op̄ssion du poeple, ad p̄e a Lercevesq̄ de Canterbirs & Evesqes est̄eantz en plement de mettre s̄ ce remedie covenable; queux Ercevesq̄ & Evesqes, al movement de Roi & des grantz, disoient en mesme le plement qils ont s̄ ce ordeigne en ẗein; cestassavoir, q̃ peine des Chapelleins pochiels p̄ queconq̄ colour receivantz outre sis marcz, & aut̄s chauntantz annales, & a cure des almes nient entendantz, p̄nantz outre cink marcz, sanz dispensacion Devesq̄, est suspension doffice, silz deinz le mois de ce q̃ plus receiverent ne facent restitucion, al ov̄aigne del esglise en quele ils chaunterent: & peine des gentz de seinte esglise donantz outre sis marcz ou cynk as Chapelleins pochiels,

ITEM, That no Man of the said Two Houses, hold more of the said Horses [in the Livery, [1]] where these Houses shall be, than is ordained by [a [2]] Statute of the King's House. And if any do otherwise, it shall be done to him for the Horses found over the Number limited to him by the said Statute, as the Statute will: And that no Man of the same Two Houses, of what Estate or Condition that he be, hath Purveyor or Forcgoer, to make any Purveyance or taking for any Man of the said Two Houses, but that they or their People buy that which they need, of them that will sell the same of their good Will, and pay readily in Hand, according as they may agree with the Sellers; and if they do otherwise, such Punishment shall be made upon them, as afore is said of the Buyers: And that Hunters, Faulkners, Serjeants at Arms, and all other which be at Wages or pertaining to the said Two Houses, shall have the same Penance if they offend against the same.

V. No Man of the Houshold shall keep at Livery more Horses than allowed by the Statute 14 *Edw III. stat.* 1. *c.* 19; nor retain Purveyors for himself;

ITEM, That no Lord of England, nor none other of the said Realm, of what Estate or Condition that he be, except the King and the Queen [his Wife,] shall make any Taking by him, or any of his Servants, [3] of any Manner of Victuals, but shall buy the same that they need, of such as will sell the same of their good Will, and for the same shall make ready Payment in Hand, according as they may agree with the Seller. And if the People of Lords, or of other, do in other Manner, and thereof be attainted, such Punishment of Life and of Member shall be done of them, as is ordained of the Buyers.

VI. Purveyance of Victuals by a Subject, Felony.

ITEM, Though it be ordained by the Statute of the Staple, That the Mayors and Constables of the said Staples shall have Jurisdiction and Cognisance within the Towns where the Staples be, of the People and of all manner of Things touching the Staple, and of Felonies, Mayhems, and Trespass done within the Staple; It is accorded and assented, That the said Mayors and Constables shall have Cognisance only of Debts, Covenants and Contracts, and all other Pleas touching Merchandise and Surety of Merchandise betwixt [Merchants [4]] which be for Merchants known; and Process of Felonies, and all other Pleas, as well within the Staple as without, shall be at the Common Law, as they were before the Statute of the Staple, notwithstanding the said Statute; Saving always, That the Merchants Aliens (be they Plaintiffs or Defendants) may sue their Plaints and Quarrels, as well of Trespass as of other what they will, before the Mayor of the Staple, by the Law of the Staple, or elsewhere at the Common Law, as is contained in the said Statute of the Staple; and that the King and all other Lords, within their Seigniories, have and enjoy their Franchises, Jurisdictions and Privileges, as they had before the same Statute made; so always that the Mayor of the Staple have Power to take Recognisances of Debts of every Person, be he Merchant or other, in the same Manner as is contained in the same Statute of the Staple.

VII. Mayors, &c. of the Staple shall take Cognizance of Contracts between Merchants; but not of Felonies. Saving as to Merchants Aliens; and as to Franchises.

ITEM, The King, at the Prayer of the Commons, shewing to him by Petition, how that Priests be become [very scant [5]] after the Pestilence, to the great Grievance and Oppression of the People, hath spoken to the Archbishop of Canterbury and the other Bishops, being in the Parliament, to set thereupon a covenable Remedy, which Archbishop and Bishops at the motion of the King, and of the Great Men said in the same Parliament that they have thereupon ordained in certain; that is to say, That the Pain of Parish Priests by any manner colour receiving above Six Marks, and [other yearly singing, [6]] and not entending the Cure of Souls, taking above Five Marks, without the Bishop's Dispensation [and [7]] Suspension of their Office, if they within the Month make not Restitution to the Use of the Church, in which they sing, of that that they have above received: And the Pain of People of Holy Church, giving above Six Marks or Five Marks to Parish Priests,

VIII.

[1] at Lyverie *MS. Tr.* 2. [2] the [3] in any manner,
[4] Marchant and Marchant *MS. Tr.* 2. [5] so dear *MS. Tr.* 2.
[6] *of others being yearly Chaunters* [7] *is*

or other yearly [singing[1]] as afore is said, is to pay the Double of that that they do excessively pay, to be converted to the Use of Alms at the Arbitrement of the Diocesan of the Place: And all manner Priests, intending their proper Service, as yearly [singing[1]] shall serve the Parishes and be attending to the Cure of Souls, as [he[2]] by the Ordinaries of the Place, or by them to whom [he attaineth,[3]] shall be required, upon Pain of Suspension of their Office, which they shall incur upon the Deed, if they within the Twenty Days after that they shall be required, be not obedient to such Requests: And that no Priest passing from One Diocese to another, shall be received there to sing Divine Service, unless he shew to the Diocesan of the Place Letters commendatory of the Bishop, in whose Diocese he last before dwelled: Wherefore the King by the Assent of the Great Men and Commons hath ordained, That if any secular Man of the Realm pay any more than Five Marks to any Priest yearly in Money or in other Things to the Value, or if he pay to such Priest, retained to abide at his Table, above Two Marks for his Gown and his other Necessaries, his Table accounted to xl. s., and thereof be attainted, he shall pay to the King fully as much as he paid to the said Priest.

The Wages of Priests.

IX. Remedy in Chancery for Breaches of Statutes.

ITEM, If any Man that feeleth himself grieved contrary to any of the *Articles* above written, or others contained in divers Statutes, will come into the Chancery, or any for him, and thereof make his Complaint, he shall presently there have Remedy by Force of the said Articles and Statutes, without elsewhere pursuing to have Remedy.

X. Parliament every Year.

ITEM, For Maintenance of the said Articles and Statutes, and Redress of divers Mischiefs and Grievances which daily happen, [a Parliament shall be holden[4]] every Year, as another Time was ordained by Statute.

XI.

ITEM, The King by the Assent aforesaid, having Regard to [the Grant[5]] that the Commons have granted now in this Parliament, of Wools, Leather, and Woolfells to be taken for Three Years, will and grant that after the said Term passed, nothing be taken nor demanded of the said Commons, but only the ancient Custom of Half a Mark; nor that this Grant now made, or which hath been made in Times past, shall not be had in Example nor Charge of the said Commons in Time to come: And that the Merchants Denizens may pass with their Wools as well as the Foreigns, without being restrained; and that no Subsidy, nor other Charge, be set nor granted upon the Wools, by the Merchants nor by none other from henceforth, without the Assent of the Parliament.

The late Subsidy shall not be an Example.

All Merchants may export Wools.

XII. At what Time the Sessions of Peace shall be holden.

ITEM, That in the Commissions of Justices of the Peace, and of Labourers, express mention be made, That the same Justices make their Sessions Four Times by the Year, that is to say, one Session within the Utas of the Epiphany, the Second within the Second Week of [Lent,[6]] the Third betwixt the Feasts of Pentecost and of St. John Baptist, the Fourth within the Eight Days of St. Michael.

XIII. Escheators shall have no Fee of Lands in Ward;

ITEM, For grievous Complaint that the King hath heard by his People of his Escheators, and of their evil Behaviour; he will and hath ordained of the Assent aforesaid, That Lands seised into his Hands because of Ward, shall be safely kept without Waste or Destruction; and that the Escheator have no Fee of Wood, Fish, nor of Venison, nor other Thing, but shall answer to the King of the Issues and Profits yearly coming of the said Lands, without doing Waste or Destruction; and if he do otherwise, and thereof be attainted, he shall be ransomed at the King's Will, and yield to the Heir the treble Damages at his own Suit, as well within Age, as of full Age; and his Friends, as long as he is within Age, shall have the Suit for him, answering to the said Heir of that which shall be so recovered: Also of other Lands seised into the King's Hands by Inquest of Office taken before the Escheators, this Ordinance and Penance shall hold Place against the Escheators:

nor commit Waste.

Fine, and Treble Damages to the Heir, injured.

Extended to Lands seised by Inquest of Office.

[1] *Chaunters* [2] *they* [3] *they belong*

[4] be the Parlement holden *MS. Tr.* 2.

[5] the grete Subsidie *MS. Tr.* 2. [6] *Mid-Lent*

ou autres chauntantz annals, come devant est dit, est paier le double de ce q̃ excessivement ils paierent, a tourner en oeps dalmoigne al arbitrement del diocesan de lieu: et q̃ Chapelleins queconqes a lour ꝑpre ꝟvice entendantz, come chauntantz annals, ꝟvent as poches & soient entendantz a cure des almes, come ꝑ les ordeigners de lieu ou ꝑ ces as queux ils attient ꝟront requis, sr peine de suspension doffice, quel ils encurreront sr le fait sils dedeinz les vintz jours aꝑs qils ꝟront issint requis ne soient obeissantz au tiel requeste: et q̃ nul Chapellein passant dune diocise a autre soit recieu illeoqes de chaunter divine ꝟvice sil ne monstre al Diocisan de lieu ẏres cõmendantes del Evesq, en qi diocise ꝑchein devant il demˈra: ꝑ quoi le Roi del assent des gᵃntz & cões ad ordeigne, q̃ si nul hõme seculer du realme paie plus q̃ cynk marcz a nul Chapellein annal, en deners ou en autre chose a la valeu, ou sil paie au tiel Chapellein retenuz a demˈer a sa table outre deux marcz pr sa robe & ses autres necessaires, sa table acompte a quarante souldz, & de ce soit atteint, paie au Roi pleinement a tant come il paia au dit Chapellein.

Item si nul hõme se sente greve au contreire de nul des articles dessus escriptz ou auꝰs contenuz en diꝟses estatutz, & veigne en la Chancellerie ou aucun pr lui, & de ce face sa pleinte, eit meintenant illeoqes remedie ꝑ force des ditz articles & estatutz, sanz aillours pˈsure pr remedie avoir.

Item pr meintenance des ditz articles & estatutz, & redresser diꝟses meschiefs & grevances q̃ veignent de jour en autr̃, soit ꝑlement tenuz chescun an sicome autrefoitz estoit ordeigne ꝑ estatut.

Item le Roi del assent avandit, eant regarde al gᵃnt Subside q̃ les Cões lui ont gᵃntez ore en cest ꝑlement, des leines, quirs, & peaulx lanuz, a ꝓndr̃ pr trois anns, voet & gᵃnte, qaꝑs le dit ẏme passe rien ne soit pris ne demande des ditz cões, fors soulement launciene custume de demy marc; ne q̃ cest gᵃnte ore faite, ou qad este faite devant ces heures, ne soit tret en ensaumple ne charge du dite cõe en temps aven: et q̃ les Marchantz deinzeins puissent passer ove lour leines, si avant come les foreins, sanz estre restreintz; & q̃ nul Subside nautre charge soit mis ne gᵃnte sr les leines, ꝑ les Marchantz ne ꝑ nul autre, desore enavant sanz assent du ꝑlement.

Item q̃ en les cõmissions des Justices de la pees & des laborers, soit faite expsse mencion q̃ mesmes les Justices facent lour Sessions quaterfoitz p an; cestassavoir une session deinz les Octaves de la Tiphaine, la secunde deinz la secunde simaigne de demy Quaresme, le tierce entre les festes de Pentecoste & de Seint Johᵃn Baptistre, le quart deinz les oet jours de Seint Michel.

Item pr la grevouse pleinte q̃ le Roi ad oie de son poeple, de ses Eschetours & de lour mal port, il voet & ad ordeigne del assent avantdit, q̃ ẏres seisiez en sa mein ꝑ cause de garde soient sauvement gardez, sanz wast ou destruccion; et q̃ leschetour eit nul fee de bois, venison, de pesson, nautr̃ rien, mes respoigne au Roi des issues & ꝑfitz annuels ꝓvenantz des ditz ẏres, sanz wast ou destruccion faire, et sil face autrement & de ce soit atteint, soit reint a la volente le Roi, & rende al heir les damages au treble, a sa ꝑpre sute sibien deins age come de pleine age, & eient les amys tantcome il est deinz age la sute pr lui, respoignantz au dit heir de ce q̃ ẏra issint recoꝰy: auxint des auꝰs ẏres seisiez en la mein le Roi ꝑ enqueste doffice, prise devant les Eschetours, tiegne mesme ceste ordeignance & penance deꝰs les Eschetours:

M. 7.

e sil eit nul hõme q̃ mette chalenge ou claym as p̃res issint seisiez, q̃ leschetour mande lenqueste en la Chancellerie, deinz le mois ap̃s les p̃res issint seisies, et q̃ brief lui soit liv̄e de certifier la cause de sa seisine en Chancellerie, & illeoqes soit oie sanz delay de t̄verser loffice, ou autrement monstrer son droit, & dilleoqes mande devant le Roi, affaire finale discussion sanz attendre autre mandement: et en cas q̃ ascun veigne devant le Chanceller & monstre son droit p̄ quele demonstrance p bones evidences de son auncien droit & bon title, q̃ le Chancellor p sa bone discrecion & avis de conseil, si lui semble qil busoigne avoir conseil, qil lesse & baille les p̃res issint en debat au tenant, rendant ent au Roi la value si au Roi apptient, en mañe come il & les aut̄s Chancellers devans lui ont fait devant ces heures de leur bone discrecion, issint qil face seurete qil ne fra wast ne destruccion tanq̄ il soit ajugge: et q̃ les ditz Eschetours p̃gnent tieles enquestes en les bones villes & p bones gentz, & ce ov̄tement & p endentures affaires entre les ditz Eschetours & ces de les enquestes, come autrefoitz fuist ordeigne p estatut: et si nul Eschetour face au contraire de ceste ordeignance susdite eit la prisone de deux anns & outre soit reint a la volente le Roi.

Item p̄ ce q̃ lentencion des Seign̄s & de la cõe est declare en cest p̄sent plement, q̃ les cõaltees de chescunes villes du Roialme eient les fins & am̄ciamentz & touz aut̄s p̄fitz de queconqes artificers, s̄vantz, & aut̄s laborers, & feussent paiez as Coillours de la quinzisme trienale, autrefoitz g̃ntez au Roi p̄ le temps de trois anns, en avantage de la cõe en descharge de la quinzisme; si est ordeigne en cest plement q̃ touz les deniers des fins & am̄ciementz & aut̄s p̄fitz, sibien ces q̃ sont levez come ceux q̃ sont a lever, dues de les ditz trois anns, soient levez al oeps de la cõe & distributz entre eux, nient contresteantz les poles en lautre estatut q̃ sont cont̄riantz a ceste declaracion & ordeignance: et q̃ les Coillours des ditz deniers ne soient mye tenuz de rendre de ce acompt a Lescheqer, mes q̃ les Justices de la pees en chescun Countee eient poair doier lour acompt, & les compeller de faire pleine distribucion.

Item, p̄ ce q̃ monstre est soventfoitz au Roi, p̄ Prelatz, Ducs Counts Barons & tout la cõe, les g̃ntz meschiefs q̃ sont advenuz as plusours du realme de ce q̃ les leyes custumes & estatutz du dit realme ne sont pas conuz cõement en mesme le realme, p̄ cause qils sont pledez monstrez & juggez en la lange Franceis, qest trop̄ desconue en dit realme; issint q̃ les gentz q̃ pledent ou sont empledez en les Courtz le Roi & les Courtz dautres, nont entendement ne conissance de ce qest dit p̄ eulx ne contre eulx p̄ lour Sergeantz & aut̄s pledours; et q̃ resonablement les dites leyes & custumes s̄ront le plus tost apris & conuz & mieultz entenduz en la lange usee en dit realme, et p̄ tant chescun du dit realme se p̄roit mieultz gov̄ner sanz faire offense a la leye, & le mieultz garder sauver & defendr̄ ses heritages & possessions; & en div̄ses regions & paiis, ou le Roi les nobles & aut̄s du dit realme ont este, est bon gov̄nement & plein droit fait a chescun p̄ cause q̃ lour leyes & custumes sont apris & usez en la lange du paiis: Le Roi desirant le bon gov̄nement & t̄nqillite de son poeple, & de ouster & eschure les maulx & meschiefs q̃ sont advenuz, & purront avener en ceste ptie, ad p̄ les causes susdites ordeigne & establi del assent avantdit q̃ toutes plees q̃ s̄ront a pleder en ses Courtz queconqes, devant ses Justices queconqes ou en ses autres places ou devant ses aut̄s Ministres q̃conqes ou en les Courtz

And if there be any Man that will make Claim or Challenge to the Lands so seised, that the Escheator send the Inquest into the Chancery within the Month after the Lands so seised, and that a Writ be delivered to him to certify the Cause of his Seisin into the Chancery, and there he shall be heard without Delay to traverse the Office, or otherwise to shew his Right, and from thence sent before the King to make a final Discussion, without attending other Commandments: And in case that any come before the Chancellor, and shew his Right, [by which shewing [1]] by good Evidences of his antient Right and good Title, the Chancellor by his good Discretion and Advice of Counsel, if it seem expedient to him to have Counsel, shall let and demise the Lands so in Debate to the Tenant, yielding thereof to the King the Value, if it pertain to the King, in the Manner as he and the other Chancellors before him have done in Times past of their good Discretion, so that he find Surety that he shall do no Waste nor Destruction, till it be judged: And that the said Escheators take such Inquests in the good Towns and of good People, and that openly and by Indentures to be made between the said Escheators and them of the Inquests, as another Time was ordained by a Statute: And if any Escheator do to the contrary of this said Ordinance, he shall have Two Years Imprisonment, and moreover he shall be ransomed at the King's Will.

Such Inquests may be traversed in Chancery.

The Land may be demised to the Tenant until Judgment.

Escheators shall take Inquests as directed by the Statute 34 *Edw. III. ch.* 13. on Penalty of Fine and Imprisonment.

ITEM, Because that the Intent of the Lords and Commons is declared in this present Parliament, That the Commonalties of every Town of the Realm shall have the Fines and Amerciaments, and all other Profits of all manner Artificers, Servants, and other Labourers, and that the same be paid to the Collectors of the Triennial Quinzime, another Time granted to the King for the Space of Three Years, in Advantage of the Commons, in discharge of the Quinzime; It is ordained in this Parliament, That all the Money of Fines and Amerciaments [of Profits,[2]] as well such as be levied, as which be to be levied, due of the said Three Years, shall be levied to the Use of the Commons, and distributed betwixt them, notwithstanding the Words in another Statute, which be contrary to this Declaration and Ordinance; and the Collectors of the said Money shall not be bounden to yield thereof Account at the Exchequer, but that the Justices of Peace in every County have Power to hear their Account, and compel them to make full Distribution.

XIV. The Fines of Labourers, &c. shall be levied to the Use of the Commons.

The Justices of the Peace shall take the Account.

ITEM, Because it is often shewed to the King by the Prelates, Dukes, Earls, Barons, and all the Commonalty, of the great Mischiefs which have happened to divers of the Realm, because the Laws, Customs, and Statutes of this Realm be not commonly [holden and kept [3]] in the same Realm, for that they be pleaded, shewed, and judged in the French Tongue, which is much unknown in the said Realm; so that the People which do implead, or be impleaded, in the King's Court, and in the Courts of other, have no Knowledge nor Understanding of that which is said for them or against them by their Serjeants and other Pleaders; and that reasonably the said Laws and Customs [the rather shall be perceived [4]] and known, and better understood in the Tongue used in the said Realm, and by so much every Man of the said Realm may the better govern himself without offending of the Law, and the better keep, save, and defend his Heritage and Possessions; and in divers Regions and Countries, where the King, the Nobles, and other of the said Realm have been, good Governance and full Right is done to every Person, because that their Laws and Customs be learned and used in the Tongue of the Country: The King, desiring the good Governance and Tranquillity of his People, and to put out and eschew the Harms and Mischiefs which do or may happen in this Behalf by the Occasions aforesaid, hath ordained and stablished by the Assent aforesaid, that all Pleas which shall be pleaded in [any [5]] Courts whatsoever, before any of his Justices whatsoever, or in his other Places, or before any of His other Ministers whatsoever, or in the Courts

XV. Reasons why the Laws should be pleaded in the English Tongue.

[1] *upon such shewing* [2] and other profites *MS. Tr.* 2.
[3] *known* [4] shall be the more soon lerned, *MS. Tr.* 2.
[5] his *MS. Tr.* 2.

Pleas shall be pleaded in the English Tongue, and be inrolled in Latin.

and Places of any other Lords whatsoever within the Realm, shall be pleaded, shewed, defended, answered, debated, and judged in the English Tongue, and that they be entered and inrolled in Latin; and that the Laws and Customs of the same Realm, Terms, and Processes, be holden and kept as they be and have been before this Time; and that by the ancient Terms and Forms of [the Declarations [1]] no Man be prejudiced, so that the Matter of the Action be fully shewed in the Declaration and in the Writ: And it is accorded by the Assent aforesaid, that this Ordinance and Statute of Pleading begin and hold Place at the Fifteenth of St. Hilary next coming.

[1] Pleaders

& places des autrs Seign's qeconqes deinz le realme, soient pledez, monstretz, defenduz, responduz, debatuz & juggez en la lange engleise; et qils soient [entreez [1]] & enroullez en latin; et q les leyes & custumes du dit Realme, rmes & pcesses, soient tenuz & gardez come ils sont & ont este avant ces heures; et q p les aunciens rmes & formes de counter nul hom soit pdant, issint q la matire del accion soit pleinement monstre en la demonstrance & en le brief: et est acorde del assent avantdit q cestes ordeignances & estatutz de pleder comenceent & tiegnent lieu al quinzeine Seint Hiller pchein avenir.

[1] Interlined on the Roll.

D' p'don facta Co'itati regni Angl'.

In Margine Rotuli.

Of the Pardon made to the Commonalty of the Realm of England.

Statute the Second.

EDWARD by the Grace of God, [&c. to all that, &c.[1]] Greeting. Know Ye, that We have received the Petition delivered to Us by the Commons of Our Realm in this present Parliament, in the Form as followeth:

Petition of the Commons for a general Pardon, concerning all such Articles as tend not to the permanent Injury of the Crown.

TO their most redoubted Sovereign Lord the King pray the said Commons, That Whereas they have prayed him to be discharged of all manner of Articles of the Eire, except Pleas of Land of Quo Warranto, Treasons, Robberies, and all other Felonies, for the which a Man shall bear Pain of Life and Member; which Petition seemeth to his Council to be prejudicial to him, and in Disherison of his Crown, if it were so generally granted; his said Commons not willing nor desiring to demand Things of him which should fall in Disherison of him or of his Crown perpetually, as of Escheats of Land or of Tenements by any Cause, Wards, Marriages, Fees, and Advowsons, Serjanties, Rents, Services, Seignories, Lands amortised without Licence, nor Fines for Trespass of purchasing of Lands holden of him as of his Crown, and aliened without Licence, nor of Fines offered in certain and not refused before any of his Justices, for Purprestures made upon him as well in Lands as in Waters, Franchises accroached, Treasure found, Debts and Accounts due to him after the Pardon made to his said Commons by Statutes late made, nor other Articles whatsoever they be, which should fall in Disherison of him or of his Crown perpetually: But of Trespass, Misprision, Negligences, or Ignorances, or any other Things done, fallen or happened before this present Parliament, and of all Articles of the Eire, whereof the Punishment shall lie in Fine or in Ransom, or other pecuniary Pains, Imprisonments, Amerciaments of the Commons or of Towns, or of any singular Persons, as well the King's Ministers as other at the King's Suit, Escapes of Felons, Chattels of Felons and Fugitives fallen sith the last [Parliament [2]] made to his Commons of them and not levied nor judged, or in Charge of the Freehold of them that never trespassed, as Heirs or Lands-Tenants of Coroners, Sheriffs, Escheators, as well the King's Ministers as other, and all other People; Saving to the King the Debts and Accounts due to him now at this present [of these Things before named [3]]: That it may please his excellent Highness, having regard to the great Charges, Travels, and Mischief which his poor Commons have ([4]) in his Time, and [to which Charge he hath now required them [5]] of those Things before named, to [do [6]] pardon generally to his said Commons till this present Parliament; so that ([7]) all the

[1] *King of England, Lord of Ireland and of Aquitain, to all to whom these Letters shall come,*

[1] Pardoun *MS. Tr.* 2. [3] *MS. Tr.* omits.

[4] suffered *MS. Tr.* 2.

[5] *to the charge which he hath now demanded of them*

[6] *grant* [7] *of*

Ex magno Rot. Stat. in Turr. Lond. m. 7.

EDWARD p la g'ce de Dieu Roi Dengletre Seign' Dirlande & Daquitaigne, as touz ceux qi cestes tres verront, Salutz. Sachiez nous avoir resceu la peticion baillez a nous p la cõe de nre realme en cest psent plement en la forme q sensuyt:

A lour tresdoute Seign' le Roi prie sa dite cõe q come ils lui avoient prie estre deschargez de touz mans des articles de Eire forpris plees de tre de quo warranto, tresons, robies & autrs felonies quelconqes p' queux hom porta penance de vie & de membre; quele peticion semble a son conseil estre pjudiciele a lui, & en desheritison de sa Corone si ele fuisse si gnalement g'ntee: sa dite Cõe nient voillantz ne desirrantz a demander choses de lui q cherront en descresse de lui ou de sa Corone ppetuelment, come des eschetes de tre ou de tenement p quelconq, cause, gardes, mariages, fees & advoesons, sjanties, rentes, svices, Seign'ies, tres amortiez sanz licence, ne fins p' tspas de p'chace des tres tenuz de lui come de la Corone, & alienez sanz congie, ne des fins offertz en tein & nient refusez devant quelconqes les Justices, (') p'prestures faitz sur lui auxibien en tres come en eawes, fraunchises acrochiez, tresor trove, dettes (') acomptes, a lui dues puis la pdon faite a sa dite cõe p estatutz nadgairs faitz, ne autrs [articles [3]] quels qils soient q chiesent en desheritison de lui ou de sa Corone ppetuelment: Mes des trespasses, mesprisions, necgligences, ou ignorances, ou autres choses quelconqes, q sont faitz, eschuz, ou advenuz avant cest psent plement, et des touz articles de Eir dont le punissement cherreit en fin ou en raunceon, ou autres peines pecunieres, emprisonementz, amciementz des cões ou des villes, ou des singuleres psones quelconqes, sibien ministres le Roi come autres a la sute le Roi, eschaps des felons, chateux des felons & futifs eschuiz puis la darreine pdon faite a sa cõe dyceux & nient levez ne ajuggez ou en charge de franc tenement de ceux qi unqes ne trespasserent, come heirs ou tre tenantz des Coronls, Viscontes, Eschetours, sibien Ministres le Roi come autres, & autres gentz quelconqes; Sauvant au Roi les dettes & acomptes a lui dues a ore en psent: q lui pleise de sa tres excellente Seign'ie, eant regard a les g'ntz charges, travaux & meschiefs, q sa poevre cõe ad suffert en son temps, & a la charge quele il les ad ore demande, de ces choses avantnomez, faire pdon a sa dite cõe gnalment tanq, a cest psent plement; issint q des toutes les choses

[1] pur *Printed Copies* [2] &c. *Printed Copies*

[3] Interlined on the Roll.

& articles avant nomez p' nulle manle des choses faites en temps passe riens ne soit enquis, ne nul hõme del poeple Ministre le Roi ou autre de quele condicion qil soit de ceux soit mis a respondre, empeschez, molestez ne grevez, p nul manle de colour, imaginacion ou inpretacion; mes toutes manles des trespasses mesprisions necgligences ou ignorances, & autres choses quelconqes avant nomez, soient relessez de tout & pdonez: Sauvant tout temps la suyte des pties q̃ se voudront pleindre: Et q̃ gentz atteintz a la seute des pties eient emprisonement en cas ou il est donie p la ley, nient contresteantz les pdons des fins & raunceons come dessus est dit: Et come la cõe ont autrefoitz requis & unquore ils prient q̃ la g'nde Chartre, la Chartre de la Foreste, & touz autres estatutz einz ces heures faitz, soient fermement gardez & tenuz en touz pointz des choses q̃ sont a eschere, ou q̃ avendront aps ces heures, auxibien p' pfit le Roi come p' quiete de son poeple: Et q̃ touz les articles del Eir soient mandez as Justices de la pees en chescun Countee, de les publier & notifier a la cõe, al entent qils puissent avoir conissance des ditz articles, issint qils se puissent mieltz porter & govner, & eschure les pils & punissementz des ditz articles; Et adonqes a quele heure qil plerra a lour tresdoute Seign', qil face ses sessions & enquerrez, selonc ce q̃ semblera a lui & a son bon conseil q̃ mieultz soit affaire, p' pfit de lui & de son poeple: Et nest pas lentencion de sa dite cõe p ycelle pdon, q̃ le Roi ne face enquerre des grevances & oppssions faitz au poeple, p ses Purveours ou purveours des autres avant ces heures, dont g'nt clamour ad este fait en cest psent plement: Et q̃ pleise a sa tresgracious Seign'ie dyceux pdons faire chartres, contenantz les dites pdons, as touz les Countees Dengletre, & as touz sevales psones q̃ les voudront demander ou p'sure, sans fin faire ou fee paier p' le seal; et q̃ la forme des tieux chartres soit faite avant le deptir des Seign's de plement, & la dite forme a nre Seign' le Roi & a son conseil & a les autres Seign's monstrez: Nous considerantz les g'ntz charges q̃ nre dite cõe ad suffert, & les g'ntz bienfaitz qils nous ont fait plusures foitz, de nre g'ce especiale & del assent des Prelatz, Ducs, Contes, Barons & cões esteantz en le dit plement, eions g'ntez a nre dite cõe de tout temps passe pleine pdon, selonc la forme de lour peticion susdite. Sauvez toutesfoitz a nous & a noz heirs nre droit en temps avenir, en manle come lavions devant le dit g'nt & pdon. Et volons & g'ntons q̃ p nous noz heirs, noz Justices ne autres noz Ministres quelconqes, nul hõme soit empeschez, mis a respondre, ne pces fait de nul point contenu en nre dite pdon. En tesmoignance de quele chose a cestes noz tres patentes avons fait mettre nre seal. Doñ a Westm̃ le xiij. jour d'Octobre lan de nre regne trente sisme.

D' Statuto pclamand.

P Vic̃ Essex & Hertford salt̃m. Quedam Statuta & Ordinacões, p nos de cõi assensu Prelatoz Magnatũ & Cõitatis regni nri, in psenti pliamento nro apud Westm̃, p cõi utilitate tocius regni pdci edita & pvisa, tibi mittim⁹ in duabz patentibz magno sigillo nro signatis: Mandantes qd statim visis patentibz pdcis eas & oĩa & singula contenta in eisdem, tam in pleno Com̃ utriusq; Com̃ pdcoz q'm in civitatibz, burgis, villis mcatoriis, feriis, mcatis, & aliis locis in eisdem Com̃ ubi expedire videris, tam infra libtates q'm ext' publice legi & pclamari, & inviolabiliꝑ observari & teneri fac̃.

Things and Articles afore-named for any manner of Thing done in Time past nothing be [required,[1]] nor none of the People, King's Minister nor other, of what Condition that he be, be ([2]) put to answer, impeached, molested, nor grieved by any manner Colour, Imagination, or [Interruption,[3]] but all manner of Trespass, Misprisions, Negligences, or Ignorances, and all other Things beforenamed be [repealed and wholly[4]] pardoned: Saving always the Suit of the Parties, which will them complain: And that People attainted at the Suit of the Parties have Imprisonment, in case where it is given by the Law, notwithstanding the Pardons of Fines and Ransoms as afore is said: And Whereas the Commons have another Time required, and yet they pray, That the Great Charter and the Charter of the Forest, and all other Statutes before this Time made, be firmly kept and holden in all Points of all Things which be to fall, or which shall happen hereafter, as well for the King's Profit, as for the Quietness of his People: And that all the Articles of the Eire be sent to the Justices of Peace in every County, to publish and notify them to the Commons, to the Intent that they may have Knowledge of the said Articles, so that they may the better govern and bear them, and eschew the Perils and Punishment of the said Articles; [that[5]] then at what Time it shall please their said redoubted Lord, that [they shall make[6]] his Sessions and Enquiries, according as shall seem [of[7]] him and his Council that best is to be done for the Profit of him and of his People: And the Intent of his said Commons is not by the same Pardon that the King shall not [do to be enquired[8]] of the Grievances and Oppressions done to the People by his Purveyors, or the Purveyors of other before this Time, whereof great Clamour hath been made in this present Parliament: And that it may please his gracious Highness to make Charters of the same Pardons, containing the said Pardons, to all the Counties of England, and to all several Persons that will demand [the same, to pursue[9]] without Fine ([10]) or Fee paying for the Seal; and that the Form of the same Charters be made before the departing of the Lords from the Parliament; and that the said Form be shewed to our Sovereign Lord the King and to his Council, and to the other Lords: We, considering the great Charges which our said Commons have sustained, and the great good that they have done to Us oftentimes, of our special Grace and by the Assent of the Prelates, Dukes, Earls, and Barons, and the Commons being in the said Parliament, have granted to our said Commons for all Times past a full Pardon according to the Form of their said Petition. Saving always to Us and to our Heirs our Right in Time to come in the Manner as We [have before this Time granted and pardoned."] And We will and grant, That by Us and our Heirs, our Justices, nor none other of our Ministers, no Man be impeached nor put to answer, nor Process made of any Point contained in our said Pardon. In Witness whereof to this our Letters Patents we have set our Seal, given at Westminster the xiii. Day of October the xxxvi. Year of our Reign.

For the enforcing the Great Charter, &c.

Publishing the Articles of the Eyre.

The King's Pardon accordingly.

For the proclaiming the Statute.

The King to the Sheriff of Essex and Hertford, Greeting. Certain Statutes and Ordinances by Us, with the common Assent of the Prelates, Nobles, and Commonalty of our Realm in our present Parliament at Westminster, for the common Weal of the whole Realm aforesaid, made and provided, We do send to you in two Patents sealed with our Great Seal; Commanding, that on sight of the aforesaid Patents, the same, and all and singular the Things therein contained, as well in the full County Court of each of the Counties aforesaid, as in the Cities, Boroughs, Market Towns, Fairs, Markets, and other Places in the same Counties, where you shall see meet, as well within Liberties as without, you do cause to be publicly read and proclaimed, and inviolably to be observed and holden.

[1] inquired *MS. Tr.* 2
[2] of them *MS. Tr.* 2.
[3] Interpretation *MS. Tr.* 2.
[4] *wholly releafed, and*
[5] And *MS. Tr.* 2.
[6] he make *MS. Tr.* 2.
[7] to
[8] make inquirance *MS. Tr.* 2.
[9] *or purfue the fame*
[10] making, *MS. Tr.* 2.
[11] had, before the saide Pardoun and Graunt. *MS. Tr.* 2.

And of that which you shall thereupon do, and of the Day of the Receipt of these Presents, and by whom this present Command shall have been delivered to you, to Us in our Chancery, before the Octave of the Purification of the Blessed Mary next following, or within the same Octave at farthest, you shall under your Seal distinctly and openly certify; sending us back this Writ. Witness the King at Westminster, the Twentieth Day of November.

By the King himself, and the Council.

In the same manner it was commanded to the several Sheriffs throughout England: to the Bishop of Durham: to Edward Prince of Wales and Earl of Chester: to Robert de Herle, Constable of the Tower of Dover, and Warden of the Cinque Ports: and to the Justice of Ireland.

Et de eo qd inde fec̃is, & de die recepc̃ois p̃senciū, & p quem p̃sens mandatū tibi lib̃atū fuit, nos in Cancellar̃ nr̃a cit⁹ Octabas Purificac̃ois b̃e Marie p̃x futur̃, vel in eisdem Octab̃ ad ultimū, reddas sub sigillo tuo distincte & apte c̃iores, remittens nob̃ hoc br̃e. T. R̃ apud Westm̃ xx die Nov̄.

P ip̃m Regem & consiliū.

Eodem modo mandatū est singlis vicecomitib̃ p Angl': Epo Dunolm̃: Edwardo Principi Wall' & Comiti Cestr̃': Rob̃to de Herle Constabular̃ Castri Dovorr̃, & Custodi quinq; portuū: & Justic̃ Hib̃n.

Anno 37° EDWARDI, III. A.D. 1363.

Statut' de Victu & Vestitu; An° xxxvij°.

In Margine Rotuli.

A STATUTE CONCERNING DIET AND APPAREL; OF THE THIRTY SEVENTH YEAR.

KING Edward, at his Parliament holden at Westminster the Friday in the Utas of Saint Michael, the seven-and-thirtieth Year of his Reign, at the Request of the Commons, and by the Assent of the Prelates, Dukes, Earls, Barons, and other Great Men, there assembled, hath ordained the Things under-written in the Form as followeth:

I. Charters and Statutes confirmed.

FIRST, That the Great Charter, and the Charter of the Forest, and the Statutes and Ordinances made in Times past, and specially the Statutes made at the last Parliament, be holden and kept, and duly executed according to the Form and Effect of them.

II. A Writ of Idemptitate Nominis in Outlawry.

The Party shall be admitted to find Surety thereupon.

ITEM, For the great Mischiefs which often have happened, and daily do come, because that Escheators, Sheriffs, and other the King's Ministers, do seize the Lands, Goods, and Chattels of many, surmising that they be outlawed, where they be not outlawed, because that they bear such Names as those which be outlawed, for Default of good Declaration of the [Surname;'] It is ordained, That if any complain him in such Case, he shall have a Writ of Idemptitate nominis, in the Manner as hath been used in Times past; and if any Man's Lands, Goods, or Chattels be seized in such Case by Escheator, Sheriff, or other Minister [of the King's,] he shall find Surety before the Minister which hath the Warrant to seize, to answer to the King of the Value of such Lands, Goods, and Chattels, in case that he cannot discharge him, without taking any Thing of the Party; and if such Minister do not the same, and thereof be attainted, the Party shall have the Suit against such Minister, and recover his Double Damages, and nevertheless he shall be grievously punished to the King.

III. The Price of Poultry.

ITEM, For the great Dearth that is, in many Places of the Realm, of Poultry; It is ordained, That the Price of a young Capon shall not pass iijd. and of an old iiijd. of an Hen ijd. of a Pullet jd. of a Goose iiijd. and in Places where the Prices of such Victuals be less, they shall hold without being enhanced by this Ordinance;

' Surnames *MS. Tr.* 2.

Ex magno Rot. Stat. in Turr. Lond. m. 6.*

LE Roi Edward, a son plement tenuz a Westm̃ Venderdy en les octaves Seint Michel lan de son regne trent septisme, a la request des cões & del assent de Prelatz Ducs Countes Barons, & autres g⁹ntz illeoq̃s assemblez, ad ordeigne les choses south-escriptes, en la forme qe sensuit. Primement qe la g⁹nde Chartre la Chr̃e de la Forest, & les estatuz & ordinances einz ces hures faites, & meement les estatutz faitz au darrein plement, soient tenuz & gardez & duement executz, solonc la forme & effect dicelles.

Item, p' les g⁹ndes meschiefs q̃ sovent sont avenuz, & venent de jour en autre, de ceo qe les Eschetours, Viscontz, & aut̄s Ministres le Roi, seisent les t̄res biens & chateux des plusours gentz, s'mettantz qils sont utlagez la ou ils ne sont utlagez p cause qils portont tielx nouns come ces qi sont utlagez, p' defaute de bone declaracion des s'nouns; est ordeigne q̃ si nul se pleyne en tieu cas eit brief de Idemptitate nōiis, en mañe come ad este usee avant ces hures; et si t̄res, biens, ou chateux de nulluy soient seisiz en tieu cas p Eschetours, Viscont, ou autre Ministre, troeve seurte devant le Miistre qi ad g⁹nte de seiser, de respondre au Roi de la valu des tieux t̄res, biens, ou chateux, en cas qil ne se poet descharger, saunz rien p̃ndre de la ptie; et si tiel Ministre [ne'] le face, & de ceo soit atteint, eit la ptie sa seute devs tiel ministre, & recovre ses damages au double, & nient meins soit grevousement puniz devs le Roi.

Item p' la g⁹nde chierte qest en plusours lieux du Roialme de polaiñ, est ordeigne, q̃ le pris dun jouene chapon ne passe trois deniers, & dun auncien qatre deniers dune gelyne deux deniers, dun poucyn un denier, dun awe qatre deniers; et es lieux ou le pris des tieux vitailles est meindre qil se teigne sanz estre enchierez p ceste ordinance;

' Interlined on the Roll.

* This Statute is also entered on a Roll, preserved in the Tower of London among the Parliament Rolls, and indorsed, "Ordinaciones facte in Parliamento tento apud Westm̃ &c. Anno r. r. E. tercii xxxvij^mo xxxvij^mo xxxvij^mo." The Various Readings from this Roll are marked *Rot. Ord.* The Various Readings from the Petitions in the Parliament Roll of this Year, on which this Statute was founded, are marked *Rot. Parl.*

et q̃ es villes & marchees de Upland soient venduz a meindre pris, solonc ce q̃ poet estre acorde entre leschatour & le vendour; et q̃ Justices s^r ce soient assignez p cõmissions de mettre la chose duement en execucion.

Item p^rce q̃ plusours gentz, acquitez p juggement en Lescheqer en une place, sont g^rndement grevez & endamagez, en autres offices & places du dit escheq̃r, de mesmes les choses dont ils sont issint acquitez, a g^rnt meschief du poeple; est ordeigne qun Clerc de la remembrancie soit title de seer amount le clerc de la Pipe, de veer les descharges faites en la Pype & les enbrever en la remembrancie, p^r faire cesser tote manle de ꝓcesse s^rceo fait; et auxi q̃ la somons de la Pipe soit retrait, solonc ce q̃ ꝑties p ꝓcesse sont deschargez; et en cas q̃ defaute voluntrivement soit trove, le Tresorer p cõmandement le Roi le ferra duement punier.

Item p^r les grefs meschiefs q̃ sont avenuz, sibien au Roi come as g^rntz & cões, de ceo q̃ les Marchauntz nomez grossers engrossent totes mans des marchandises vendables, & le pris de tiele marchandie levent sodeinement deinz le roialme, mettantz a vent p covyne & ordinance entre eux faitz, appelle Fraṫnite & gilde de Marchaunt, les marchandises q̃ sont plus cheres, & les autres en repose tanq̃ au temps q̃ chierte ou defaute soit dicelles; est ordeigne q̃ nul Marchaunt Engleys ne use merce ne marchandie p lui ne p autre p nule manle de coveigne, mais use soulement, une quele il voudra eslire, entre cy & la feste de la Chaundelure ꝓschein avenir. Et ceux qont entremeyns autres ẽces & marchandises q̃ celles qils ont esluz les puissent mettre a vente devant la feste de la Nativite Seint Johan ꝓschein ensuant; et si nul face au cont^rire de ceste ordinance en nul point, & de ceo soit atteint en manle q̃ sensuera, forface devs le Roi la marchandise qil avera issint usee contre ceste ordinance; & outre face fyn au Roi solonc la quantite du trespas: et coment ceste ordinance ꝥra mys en execucion, est ordeigne q̃ bones gentz & loialx, de chescun marchandie, soient esleux & jurees de s^rveer q̃ ceste ordinance soit tenuz & executz; Cest assavoir deux Marchantz de chescune marchandie, en chescune Citee & Burgħ, & deux Marchantz en chescun Countee, & les defautes redrescer, & ces qils ne poont redrescer ꝺtifier au Chaunceller & Conseil le Roi; & soient cõmissions faites as ꝺteins gentz, queux & qant il plerra au Roi assigner, denquere en Citees Burgħs & Countees, ou il busoignera, sibien de ꝺspasours en celle ꝑtie, come des s^rveours encas qils soient necgligenz ou de covyn des ꝺspasours, p le ꝺement des sys jurrez; & outre s^r ce ꝓcesse faire, p oier & ꝺminer de jour en jour de punir les ꝺspasours & s^rveours; cest assavoir les ꝺspasours solonc ceo qest ordeigne ꝑamont, & les s^rveours solonc la discrecion des Justices, & ceo p la juree de dusze, encas qils se voillont mettre en pays de lo^r acusement; et quicũq̃ q̃ vorra suire p^r le Roi en tiel cas soit a ceo recieu & eit le quart denier de la forfait^re, de celui q̃ issint ꝥra atteint a sa seute.

Ensement est ordeigne q̃ artificers gentz de meistere se teignent chescun a un meister quel il vodra eslire entre cy & la dite feste de la Chaundelure; & soient eslieux deux de chescun meistere, de s^rveer q̃ nul usee altre meistere q̃ cele quele il ad eslieu, & Justices assignez denquere p ꝓcesse de oier & ꝺminer en cest article, come est ordeigne en larticle devant; forspris q̃ les ꝺspasours en ceste article *soient puniez* and that in the Towns and Markets of Uplands, *they shall be* sold at a less Price, according as may be agreed betwixt the Seller and the Buyer: And Justices shall be thereupon assigned by Commission to put the Thing duely in Execution.

IV. In the Exchequer, a Clerk of the Remembrance shall enroll the Discharges made in the Pipe.

ITEM, Because that many People acquitted by Judgement in the Exchequer in one Place, be (1) grieved and endamaged in other Offices and Places of the said Exchequer, of the same Things whereof they be so acquit, to the great Mischief of the People; It is ordained, That one Clerk of the Remembrance be titled to sit [against*] the Clerk of the Pipe, to see the Discharges made in the Pipe, and to imbreviate the same in the Remembrance, to cause to cease all Manner of Process thereupon made; and also that the Summons of the Pipe be withdrawn according as the Parties by Process be discharged; and in whomsoever any Default be willingly found, the Treasurer by the King's Commandment shall duly punish the same.

V.

Merchants shall deal in one sort only of Merchandize.

On Penalty of forfeiting of Merchandize and Fine.

Surveyors for executing this Ordinance.

Commissioners of Enquiry.

ITEM, For the great Mischiefs which have happened, as well to the King, as to the Great Men and Commons, of that that the Merchants, called Grocers, do ingross all Manner of Merchandise vendible; and suddenly do enhance the Price of such Merchandise within the Realm, putting to Sale by Covin and Ordinance made betwixt them, called the Fraternity and Gild of Merchants, the Merchandises which be most dear, and keep in Store the other, till the Time that Dearth or Scarcity be of the same: [hath[3]] ordained, That no English Merchant shall use no Ware nor Merchandise, by him nor by other, nor by no Manner of Covin, but only one, which he shall choose betwixt this and the Feast of Candlemas next coming. And such as have other Wares or Merchandises in their Hands, than those that they have chosen, may set them to Sale before the Feast of the Nativity of Saint John next ensuing; and if any do to the contrary of this Ordinance in any Point and be thereof attainted, in the Manner as hereafter *followeth*, he shall forfeit against the King the Merchandise, which he hath so used against this Ordinance; and moreover, shall make a Fine to the King, according to the Quantity of the Trespass: And how this Ordinance shall be put in Execution, It is ordained, That good People and lawful of every Merchandise shall be chosen and sworn, to survey that this Ordinance be holden and executed; that is to say, Two Merchants [in[4]] every Merchandise in every Town and Burgh, and Two Merchants of every County, and redress the Defaults, and of that that they may not redress, they shall certify the Chancellor, and the King's Council; and Commissions shall be made to certain People, to whom and when it shall please the King to assign, to enquire in Cities, Burghs, and Counties, where need shall be, as well of Trespassers in this Behalf, as of Surveyors, in case that they be negligent, or of Covin with the Trespassers, by the Oath of six Men sworn; and moreover, (5) to make Process [for to hear and determine[6]] daily, [and to punish[7]] the Trespassers and Surveyors; that is to say, the Trespassers according as is above ordained, and the Surveyors according to the Discretion of the Justices, and that by the Jury of xii. in case they will put themselves upon the Country of their Accusement; and whosoever will sue for the King in such Case, shall be thereto received, and shall have the Fourth Peny of the Forfeiture of him that so shall be attainted at his Suit.

VI. Handicrafts-men shall use only one Trade.

ITEM, It is ordained, That Artificers, Handicraft People, hold them every one to one Mystery, which he will choose betwixt this and the said Feast of Candlemas; and Two of every Craft shall be chosen to survey, that none use other Craft than the same which he hath chosen, and [that Justices be[8]] assigned to enquire by Process, [to hear and determine[9]] in this Article, as is ordained in the Article before said; saving that the Trespassers in this Article shall be punished

[1] greatly [2] above [3] It is *MS. Tr.* 2.
[4] *of* [5] *thereupon* [6] *by Oyer and Terminer*
[7] *for the punishment of* [8] *Justices shall be*
[9] *of Oyer and Terminer*

by Imprisonment of Half a Year, and moreover [to make Fine and Ransom,[1]] according to the Quantity of the Trespass, and the Surveyors by the Discretion of the Justices as before. But the Intent of the King and of his Council is, that Women, that is to say, Brewers, Bakers, [Carders, and Spinners, and Workers as well of Wool, as of Linen Cloth, and of Silk, Brawdesters, and Breakers of Wool,[2]] and all other that do use and work all Handy Works, may freely use and work as they have done before this Time, without any Impeachment, or being restrained by this Ordinance.

Exception as to certain Workwomen.

VII. Goldsmiths shall make their Work of Sterling;

ITEM, It is ordained, That Goldsmiths, as well in London as elsewhere within the Realm, shall make all Manner of Vessel and other Work of Silver well and lawfully of the Allay of good Sterling: And every Master Goldsmith shall have a Mark by himself, and the same Mark shall be known by them which shall be assigned by the King to survey their Work and Allay: And that the said Goldsmiths set not their Mark upon their Works till the said Surveyors have made their Assay, as shall be ordained by the King and his Council; and after the Assay made, the Surveyors shall set the King's Mark, and after the Goldsmith his Mark, for which he will answer: And that no Goldsmith take for Vessel White and [full[3]] for the Weight of a (4) Pound that is to say, of the Price of Two Marks of Paris Weight, but Eighteen Pence, as they do at Paris; and that no Goldsmith making White Vessel shall meddle with gilding, nor they that do gild shall meddle to make White Vessel: And they which shall be so assigned in every Town, shall make their Searches as oftentimes as shall be ordained; and [for that which shall be in the Goldsmith's Default, they[5]] shall incur the Pain of Forfeiture to the King the Value of the Metal which shall be found in Default.

and have a Mark and set it to their Work.

No Goldsmith shall make White Vessel, and also gild.

VIII. The Diet and Apparel of Servants.

ITEM, For the Outragious and Excessive Apparel of divers People, against their Estate and Degree, to the great Destruction and Impoverishment of all the Land; It is ordained, That Grooms, as well Servants of Lords, as they of Mysteries, and Artificers, shall be served [to eat[6]] and drink once a Day of Flesh or of Fish, and the Remnant [of[7]] other Victuals, as of Milk, Butter, and Cheese, and other such Victuals, according to their Estate: And that they have Clothes for their Vesture, or Hosing, whereof the whole Cloth shall not exceed Two Marks, and that they wear no Cloth of higher Price, of their buying, nor otherwise, nor nothing of Gold nor of Silver (8) embroidered, aimeled, nor of Silk, nor nothing pertaining to the said Things; and their Wives, Daughters, and Children (9) of the same Condition in their Clothing and Apparel, and they shall wear no [Veils[10]] passing xii. d. a Veil.

IX. The Apparel of Handicraftsmen and Yeomen.

ITEM, That People of Handicraft, and (11) Yeomen, shall (12) take nor wear Cloth of an higher Price for their Vesture or Hosing, than within Forty Shillings the whole Cloth, by way of buying, nor otherwise; nor Stone, nor Cloth of Silk nor of Silver, nor Girdle, [Knife, Button,[13]] Ring, Garter, nor Owche, Ribband, Chains, (14) nor no such other Things of Gold nor of Silver, nor no Manner of Apparel embroidered, aimeled, nor of Silk by no Way; and that their Wives, Daughters, and Children, be of the same Condition in their Vesture and Apparel; and that they wear no [Veil[10]] of Silk, but only of [Yarn[15]] made within the Realm, nor no Manner of Furr, nor of Budge, but only Lamb, Cony, Cat, and Fox.

X. Apparel of Esquires and Gentlemen.

ITEM, That Esquires and all Manner of Gentlemen, under the Estate of a Knight, which have no Land nor Rent to the Value of an Hundred Pounds by Year, shall not take nor wear Cloth for their Clothing or Hosing of an higher Price, than within the Price of Four Marks and a Half the whole Cloth, by way of

[1] make fyne unto the King, *MS. Tr.* 2.
[2] Websters, Filersters and Spynsters as wel of lynnen as of wullen Webbe, and of them Carders and Kembers of Wul, *MS. Tr.* 2. [3] playn *MS. Tr.* 2. [4] *Goldsmith's*
[5] *that such of the Goldsmiths as shall be found in default*
[6] *with meat* [7] *with* [8] *nor*
[9] *shall be* [10] Veile ne Kerchief *MS. Tr.* 2.
[11] Officers called *MS. Tr.* 2.
[12] *not* [13] knyf harnissed, *MS. Tr.* 2.
[14] Seales, bendes, *MS. Tr.* 2. [15] threde *MS. Tr.* 2.

p emprisonement de demy an, & outre face fyn au Roi, solonc la q̃ntite du ꝑspas, & les s'veours p discrecion des Justices come devant. Mes lentencion du Roi & son conseill est, q̃ fẽmes cestassavoir Braceresces Pesteresces Tixteresces fileresces & overesces sibien de layne come de leinge teille & de soye, Braudesters, pyneresces de leyne, & totes autres q̃ usent & oeveront oeveraynes manuels, puissont user & oeverer franchement come ils ont fait avant ces hures, sanz nul empeschement, ou estre restreint p ceste ordeignance.

Iiem est ordeigne q̃ Orfeures, sibien en Loundres come aillours deinz le Roialme, facent tote manꝛe de vessel & autre ovaigne dargent bien & loialment de lalay de bon estlyng: et eit chescun meistre orfeure un mche a p lui, & soit le mche conu p ces q̃ ꝺront assignez de p le Roi de s'veer lor ovaignes & lalay: et q̃ les ditz orfeuers ne mettont lor mches s' lor ovaignes, tanq̃ les ditz s'veours eiont fait lor assay, come ꝺra ordeigne p le Roy & son conseil; et lassaie faite mettont les s'veours le mche le Roi, & puis lorfeure son mche p' quel il veot respoundre: et q̃ nul orfeure ne ꝑigne p' vessel blanc & playn p' le poys du livre dorfever, cest assav du pris de deux mars du poys de Parys, q̃ dys & oet deniers, come lem fait a Parys; & q̃ nul orfeuer, fesant vessel blanc, ne se medle de s'orrer, ne ces q̃ s'orront ne se medlent de faire vessel blanc: et ces q̃ ꝺront issint assignez en chescun ville facent lor serche, atant defoith come ꝺra ordeigne; & q̃ ces q̃ ꝺront en defaute des orfeuers encorgent peine de forfaire au Roi la valu du metal q̃ ꝺra trove en defaute.

Item p' loutrageouse & excessive appaill des plusours gentz, contre lor estat & degree, a ꝺsgrant destruccion & empovissement de tote la ꝛre, est ordeigne, q̃ garsons, sibien ꝺvantz as Seign's come de meistere & des artificers, soient ꝺviz de manger & de boiure, unfoith le jour, de char ou de pessoñ, & le remenant daltres vitailles, come de lectee, furmage, bure & autres tiels vitailles, acordantz a lor estat: et qils eient draps p' lor vesture ou chausure, dont le drap̃ entier ne passe deux mars, et qils ne usent drap̃ de pluis haut pris, de lor acate nautrement, ne nul chose dor, dargent, nenbroydez aymelez ne de soye, ne rien appendant des dites choses; & soient lor fẽmes filles & enfantz, de mesme la condicion en lor vesture & appaille, & ne usent nulles veilles, passant la veille dusze deniers.

Item q̃ gentz de meistere dartifice, & de office appelle Yomen, ne ne ꝑignent ne usent drap̃ de plus haut pris, p' lor vesture ou [chaceure,[1]] q̃ deinz qarant soldz le drap̃ entier, p voie dacate nautrement; ne [perry,[2]] drap̃ de soy ne dargent, ne ceynture, cotel, fermaille, anel, garter, nouches, rubaignes, cheines, bendes, sealx, nautres choses dor ne dargent, ne nule manꝛe dappaill embraudez, eymelez ne de seie p nule voie; & q̃ lor fẽmes filles & enfantz soient de mesme la condicion en lor vesture & appaill; & q̃ eles ne usent nul veille de sey, mes soulement de file face deinz le Roialme, ne nul manꝛe de pelure, ne de [boge,[3]] mes soulement de aignell, [Conyng,[4]] chat & gopil.

Item, q̃ esquiers & toutes manꝛes des gentils gentz, desouth lestat de Chivaler, q̃ nont ꝛre ou rent a la value de Cent livres p an, ne ꝑignent ne usent drap̃ p' lor vesture ou chausure de plus haut pris q̃ deinz le pris de qatre mars & demy le drap̃ entier p voie

[1] chauceure *Rot. Ord: Rot. Parl.*
[2] perree *Rot. Ord:* perre *Rot. Parl.*
[3] bugee *Rot. Ord: Rot. Parl.*
[4] conyl *Rot. Ord:* conil *Rot. Parl.*

dacate nautrement; ne qils ne usent drap̃ dor de seye ne dargent, ne nule manle de vesture enbroidez, anel, fermaile, nouche dor, rubayn seynture, ne null autre appaill ne herneys dor ne dargent, ne riens de perre, ne nule manle de pellure; & q̃ lour fẽmes filles & enfantz soient de mesme la condicion qant a lor vesture & appaill, sanz ascuns revers ou p'fil; & q̃ eles ne usent esclaires cremiles, ne trofles, ne nule manle dappaill dor ne dargent, ne de perre. Mais q̃ esquiers eiantz r̃e ou rente a la value de deux Cent livres p an & outre puissont p̃ndre & user drap̃ de pris de cynk marz le drap̃ entier, & drap̃ de seye & dargent, rubayn ceynture & autre appaille resonablement garniz dargent; & q̃ lor fẽmes files & enfantz puissent user pelure revers de menever saunz eremyns ou letuses, ou ascune manle dappaill de perre, sinoũ p' lor testes.

Item, q̃ Marchantz Citeseyns & burgeys, artificers, gentz de meistere, sibien deinz la Citee de Loundres come aillours, qont clerement biens & chateux a la valu de Cynk Centz livres, & lor fẽmes & enfantz puissent p̃ndre & user en manle come les esquiers & gentils gentz qont r̃e ou rente a la valu de Cent livres p an; & q̃ les Marchantz, citeseyns & burgeys qont clerement biens & chateux outre la value de Mill livres, & lor femmes & enfantz puissent p̃ndre & user en manle come les esquiers & gentils gentz q̃ ont r̃e ou rent a la valu de deux Centz livres p an: et q̃ nul garson, yoman ne s̃vant des Marchaunz, [de marchandie[1]] artificer ou gentz de meistere, ne use altrement en appaill q̃ nest ordeigne des garsons & Yomen des f̃'s pamont.

Item q̃ Chivalers, qont r̃e ou rente deinz la value de deux Cent mars p an, p̃ignent & usent drap̃ de sys mars le drap̃ entier p' lor vesture & noũ pas de plus haut pris; & qils ne usent drap̃ dor ne cloche mantell ne goune furrurez de menevere purrez, maunches dermyn, ne nul appaill broudez de perre nautrement; et q̃ lor fẽmes filles & enfantz soient de mesme la condicion; & qels ne usent reṽs dermynes ne de letuses esclaires ne null manle dappaill de perre, sinoũ p' lor testes. Mes q̃ touz Chivalers & Dames, qont r̃e ou rent outre la value de qatre Centz mars p an tanq̃ a la sõme de mill livres p an, usent a
M. 5. lour volunte forspris ermynes letuses & appaill [de perles[2]] de perre, si noun p' lor testes.

Item q̃ les Clers qont degree en esglise Cathedrale, Colegiale, ou en escoles, & Clers le Roi qont tiel estat q̃ demande pellure, facent & usent solonc la constitucion de yceles; & touz autres clers qont outre deux Centz marchez de rent p an usent & facent come les Chivalers de mesme la rente; & les autres Clercz deinz meisme la rente, usent come les esquiers de Cent livres de rente: et q̃ touz ceux sibien Chivalers come Clercz qi p cest ordinance puissent user pellure en yver, p mesme la manle usent en este linure.

Item q̃ Charetters, Charuers, Chaceours des carues, bovers, vachers, berchers, Porchers, Deyes, & touz autres gardeinz des bestes, batours des bleez, & toutes manles des gentz destate de garson, entendantz a husbandrie, & touz autres genz q̃ nont qarant soldz des biens, ne des chateux a la value de qarant soldz, ne p̃ignent ne usent nule manle de drap̃, si noun blanket & russet, laune de xii d; & usent lor ceyntures [& [3]] lenge teile, acordant a lor estat; & qils vivent de manger & de boiure p manle come a eux affiert,

[1] *Printed Copies* omit; 'de' is interlined on the Statute Roll; and omitted in *Rot. Ord.* & *Rot. Parl.*

[2] *Rot. Ord: Rot. Parl.* omit. [3] de *Printed Copies*.

buying nor otherwise; and that they wear no Cloth of Gold, nor Silk, nor Silver, nor no Manner of Clothing imbroidered, Ring, [Buttons,'] nor owche of Gold, Ribband, Girdle, nor none other Apparel, nor Harness, of Gold nor of Silver, nor nothing [of Stone,[2]] nor no Manner of Furr; and that their Wives, Daughters, and Children be of the same Condition, as to their Vesture and Apparel, without any turning up or purfle; and that they [wear [3]] no Manner of Apparel of Gold, or Silver, nor of Stone. But that Esquires, which have Land or Rent to the Value of ii. C. [Marks [4]] by Year and above, may take and wear Cloths of the Price of v. Marks the whole Cloth, and Cloth of Silk and of Silver, Ribband, Girdle, and other Apparel reasonably garnished of Silver; and that their Wives, Daughters, and Children, may wear Furr turned up of Miniver, without Ermins or Letuse, or any manner ([5]) of Stone, but for their Heads.

XI. Apparel of Merchants, Citizens, and Handicrafts-men.

ITEM, That Merchants, Citizens and Burgesses, Artificers, People of Handy-craft, as well within the City of London, as elsewhere, which have clearly Goods and Chattels, to the Value of v. C. Pounds, and their Wives and Children, may take and wear in the Manner as the Esquires and Gentlemen which have Land to rent to the Value of C. li. by Year; and that the same Merchants, Citizens, and Burgesses, which have clearly Goods and Chattels, [to[6]] the Value of M. li. and their Wives and Children may take and wear in the Manner as Esquires and Gentlemen, which have Land and Rent to the Value of ii. C. li. by Year: And no Groom, Yeoman, or Servant of Merchant, Artificer or People of Handycraft shall wear otherwise in Apparel than is above ordained of ([7]) Yeomen of Lords.

XII. Apparel of Knights.

ITEM, That Knights, which have Land or Rent within the Value of ii. C. [li.[8]] shall take and wear Cloth of vi. Marks the whole Cloth, for their Vesture, and of none higher Price: And that they wear not Cloth of Gold, nor [Cloths,[9]] Mantle, nor Gown furred with Miniver nor ([10]) of Ermins, nor no Apparel broidered of Stone, nor otherwise; and that their Wives, Daughters, and Children be of the same Condition; and that they wear no turning up of Ermins, nor of Letuses, ([11]) nor no Manner of Apparel of Stone, but only for their Heads. But that all Knights and Ladies, which have Land or Rent over the Value of iv. C. Mark by Year, to the Sum of M. li. ([12]) shall wear at their Pleasure, except Ermins and Letuses, and Apparel of [Pearls and Stone, but only [13]] for their Heads.

XIII. Apparel of the Clergy.

ITEM, That Clerks, which have Degree in any Church, Cathedral, Collegial, or Schools, [or Clerk [14]] of the King, that [hath [15]] such Estate that requireth Furr, shall do and use according to the Constitution of the same; and all other Clerks, which have ([16]) ii. C. Marks of [Land [17]] by Year, shall wear and do as Knights of the same Rent; and other Clerks within the same Rent, shall wear as the Esquires of C. li. of Rent: And that all those, as well Knights as Clerks, which by this Ordinance may wear Furr in the Winter, in the same Manner shall wear [Linure [18]] in the Summer.

XIV. Apparel of Ploughmen, &c.

ITEM, That Carters, Ploughmen, Drivers of the Plough, Oxherds, Cowherds, Shepherds, [Deyars,[19]] and all other Keepers of Beasts, Threshers of Corn, and all Manner of People of the Estate [of a Groom, attending to Husbandry,[20]] and all other People, that have not Forty Shillings of Goods, nor [of Chattels,[21]] shall not take nor wear no Manner of Cloth, but Blanket, and Russet [Wool[22]] of Twelve-pence; and shall wear [the[23]] Girdles of Linen according to their Estate; and that [they come to eat and drink[24]] in the Manner as

[1] Broche *MS. Tr.* 2. [2] of perre or perle *MS. Tr.* 2.
[3] ne usen esclairs, crenicles, ne callis, ne truffes, ne *MS. Tr.* 2.
[4] li. *MS. Tr.* 2. [5] *of Apparel* [6] above
[7] boies and *MS. Tr.* 2. *which reads* boies *whenever the Text before reads* Grooms [8] m[a]rcs bi year *MS. Tr.* 2.
[9] *Cloak* [10] *Sleeves*
[11] ne clieres, *MS. Tr.* 2. [12] *by the year,*
[13] *pearls of Stone, unless* [14] *and Clerks* [15] *have*
[16] above *MS. Tr.* 2. [17] *Rent*
[18] *Lawn* [Lyneng *MS. Tr.* 2.] [19] *Swinecherds, Dairymen,*
[20] gracious entendance unto husbandrie, *MS. Tr.* 2.
[21] *Chattels to the value of forty shillings* [22] the yard *MS. Tr.* 2.
[23] *their* [24] *in eating and drinking they live*

Penalty on Offenders.

pertaineth to them, and not excessively. And it is ordained, that if any wear or do contrary to any of the Points aforesaid, that he shall forfeit [against [1]] the King all the Apparel that he hath so worn against the Form of this Ordinance.

XV. Clothiers shall make Cloths accordingly.

ITEM, To the Intent that this Ordinance, [for the taking [2]] and wearing of Cloths be maintained and kept in all Points without Blemish; It is ordained, That all the Makers of Cloths within the Realm ([3]) as well Men as Women, shall [confirm [4]] them to make their Cloths according to the Price limited by this Ordinance; and that all the Drapers shall buy and purvey their Sorts according to the same Price; so that so great Plenty of such Cloths be made and set to sale in every City, Borough, and Merchant Town, and elsewhere within the Realm, that for Default of such Cloths the said Ordinance be in no Point broken; and to that shall the said Clothmakers and Drapers be constrained by any Manner way that best shall seem to the King and his Council. And this Ordinance of New Apparel shall begin at Candlemas next coming.

XVI. The Statute 27 *Edw. III. st.* 1. *c.* 5, 7, confirmed and amended.

ITEM, It is ordained, That the Statute made of Wines the said xxvii. Year be holden and kept in all Points, except the Punishment of Lands and Tenements and of Life and Member, which Punishment is repealed in this present Parliament, as well of Time past as of Time to come: Moreover it is ordained, That every Year it shall be [sent [5]] to the Mayor and Constable of Bourdeaux, to Rochelle, and to all other Towns and Ports in Gascoine and elsewhere, which be of the Liegeance of our Sovereign Lord the King, out of which the Wines come into England, to be certified of the Price of the Wines and [in [6]] other Costs, and of the [Couchers English [7]] against the Form of the Statute; and by this Certification of the [Couchers [8]] against the Statute they shall be put to answer, if the Body be sent as is contained in the Statute; and if he deny the Certification, it shall be tried by Merchants using those Parts and other People which best have thereof Knowledge; and if the Body be not sent, that Certification shall be sent into the King's Bench, or before other Justices according as shall need; and there Process be made by Capias and Exigend, or tried by Mise, as afore is said.

XVII. Averment against Cognizance of Villenage.

ITEM, It is ordained ([9]) That no Writ be abated by Exception of Acknowlegement of Villenage, if the Demandant or Plaintiff will aver that he which alledged the Exception was free the Day of the Writ purchased.

XVIII. *Magna Carta* 25 *Edw. I. chapter* 29. On making Suggestions to the King, Surety shall be found by the Prosecutor.

ITEM, Though that it be contained in the Great Charter, that no Man be taken nor imprisoned, nor put out of his Freehold, without Process of the Law; Nevertheless divers People make false Suggestions to the King himself, as well for Malice as otherwise, whereof the King is often grieved, and divers of the Realm put in [Damage, [10]] against the Form of the same Charter; wherefore it is ordained, That all they that make such Suggestions, be sent with the same Suggestions before the Chancellor, Treasurer, and his Grand Council, and that they there find Surety to pursue their Suggestions, and incur the same Pain that the other should have had if he were attainted, in case that this Suggestion be found evil; and that then Process of the Law be made against them, without being taken [and [11]] imprisoned against the Form of the said Charter and other Statutes.

XIX. Recital of the Statute 34 *Edw. III. chapter* 22.

ITEM, Whereas it was another Time ordained, That every Person that findeth any Faulcon, Tercelet, Laner, or Laneret, ([12]) or any other Hawk that is lost of his Lord, that presently he shall bring him to the Sheriff of the County, and that the Sheriff make Proclamation in all the good Towns of the County, that he hath such Hawk in keeping; and if the Lord which hath lost him, or any of his People, come to challenge it, and

[1] *to*
[2] *as to the price MS. Tr.* 2.
[3] *of England,*
[4] conforme *MS. Tr.* 2.
[5] *given in charge*
[6] *of the*
[7] *English who lurk there*
[8] *Lurkers*
[9] and establi-hed *MS. Tr.* 2.
[10] *great danger and loss*
[11] *or*
[12] *Goshawk*

& nonpas excessivement. Et est ordeigne q̃ si nul use ou face au cont̃ire de nules des pointz susdites, qil forface dev̄s le Roi tout lappaiñt qil avera issint usee contre la forme de ceste ordinance.

Item au fyn q̃ ceste ordinance, q̃nt a la pris & usage de drap̄, soit meintenuz & gardez en touz pointz sanz emblemer, est ordeigne q̃ touz les fesours des draps deinz le roialme dengleťre, sibien hõmes come fẽmes, se confourment de faire lo draps solonc le pris limite p ceste ordinance; & q̃ touz les drapers acatent & p̃voient lo sortes acordantz a mesme le pris; pensy q̃ si g̃nt plentee des tieux draps soit fait & mys a vendre en chescune Citee Burgh & ville marchande, & aillours deinz le dit Roialme, q̃ p̃ defaute des tieux draps, la dite ordinance ne soit enfreynt en nul poynt; & a ceo soient les fesours des draps & drapers constreyntz p q̃conq̃ voie q̃ meuth semblera au Roi & a son Conseil. Et comencera ceste ordinance de novel appaiñt a la Chaundelure p̄schein avenir.

Item est ordeigne, q̃ lestatut fait des vynes, lan vynt septisme, soit tenuz & gardez en touz pointz, forspris le punissement des p̄res & tenemenz & de vie & de membre, le quel punissement est repelle p cest p̄sent plement, sibien de temps passe come de temps avenir: et outre est ordeigne, q̃ chescun an soit mande as Meire & Conestable de Burdeux, a la Rochele, & as touz autres villes & portz en Gascoigne & aillo̅s, q̃ sont de lalleggeance nr̃e ſ̃r le Roi, hors des queux les vynes venont en Engleťre, destre ☩tefie du pris des vyns, & autres costages, & des cochoures Engleys contre la forme du dit estatut. Et p cele ☩tificacion des cochours contre lestatut, soient mys a respondre, si le corps soit mande come est contenuz en lestatut; et sil contredie la ☩tificacion, soit trie p marchantz usantz celles pties, & autres gentz q̃ meuth ont de ceo conisance; et si le corps ne soit mande, soit la ☩tificacion mande en banc le Roi, ou devant autres Justices, solonc ce qil bosoignera; & illeoq̃s pcesse faite p Capias & Exigend, ou trie p mise come desus est dit.

Item est ordeigne & establi, q̃ nul brief soit abatu p excepcion de conisance de villenage, si le demandant ou pleintif voille av̄rer, q̃ celui q̃ alegge lexcepcion fut franc, le jour du brief p̃chace.

Item coment qen la g̃nde Chartre soit contenuz, q̃ null hõme soit pris, ou emprisonez, ne oustez de son franc tenement, sanz pcesse de ley; nientmeyns plusours gentz font faux suggestions au Roi mesmes, sibien p malice come en autre mañe, dont le Roi est sovent trop̄ grevez, & plusours du Roialme mys en g̃nt daunger & pert, contre la forme de mesme la chartre; p qoi est ordeigne q̃ touz ceux q̃ font tiels suggestions, soient mandez ove les ditz suggestions, devant le Chaunceller Tresorer & son g̃nt conseil; & q̃ illeoq̃s ils troevent seurte a p̃suire lo suggestions, & dencourer mesme la peyne q̃ lautre av̄eit sil fut atteint, encas q̃ sa suggestion soit trove malveys; et q̃ adonq̃s pces de ley soit fait dev̄s eux, sanz estre pris ou emprisonez contre la fourme de la dite chartre & autres estatuz.

Item come autrefoitz fuist ordeigne q̃ quelconq̃ psone q̃ trove faucoun, terselet, lanier ou lanieret, austour ou autre faucoun, q̃ soit pdu de son Seign̄r, q̃ maintenant il lapporte au Viscount del Countee, et q̃ le Visconte face pclamacion, en touz les bones villes du Countee, qil ad un tiel faucoun en garde; et si le Seign̄r qi le pdi, ou aucun des soens viegne p̃ lui

chalanger, & ꝑeve resonablement q̃ ce est a son Seignr, paie pr ses custages & eit le faucoun; et si nul viegne deinz les quatre mois pr lui chalanger, adonq̃s le visconte eit le faucoun, fesant gree a celui qi le prist sil soit simples hõme, et sil soit gentils hõme, destat daver faucoun, q̃ le viscount rebaille a lui le dit faucoun, ꝑnant de lui resonables coustages pr le temps qil lavoit en garde; et si nul eit pris tiel faucoun, & le concele du fr a qi il est, ou a ses faucons, ou qi lemport du fr, & de ce soit atteint, eit la prisone de deux ans, & rende au fr le pris du faucoun issint concelee ou emportee, sil eit de quoi, & si noun eit pluis longe demoeure en prisone: nientcountresteant ceste ordenance les meffesours nount pas dote de trespasser en celle ptie; ꝑ quoi est ordeigne & pr estatut establi en ce ꝑsent ꝑlement, q̃ si nul emble faucoun & lemporte nient fesant lordinance dessus dite, soit fait de lui come de laroun qi emble chival ou autre chose.

prove reasonably that it is his Lord's, let him pay for his Costs and have the Hawk; and if none come within Four Months for to challenge him, then the Sheriff shall have the Hawk, making Gree to him that did take him, if he be a simple Man, and if he be a Gentleman, and of Estate to have the Hawk, the Sheriff shall redeliver to him the Hawk, taking of him reasonable Costs for the Time that he had him in his keeping; and if any hath taken such Hawk, and the same conceal from the Lord to whom the Hawk is, or from his Faulconers, or if any take him away from the Lord, and thereof be attainted, he shall have Two Years Imprisonment, and yield to the Lord the Price of the Hawk so concealed or taken away, if he have whereof, and if not, he shall the longer abide in Prison: Notwithstanding this Ordinance, the Offenders doubt but little to offend in this Behalf: Wherefore it is ordained, and by Statute established in this present Parliament, That if any steal any Hawk, and the same carry away, not doing the Ordinance aforesaid, it shall be done of him as of a Thief that stealeth a Horse or other Thing.

Taking away a Hawk, contrary to the recited Statute, shall be Theft.

Anno 38° EDWARDI, III. A.D. 1363-4.

In Margine Rotuli.

De Ordinacoib'z f'cis anno tricesimo octavo.

Of The ORDINANCES made in the Thirty-eighth Year.

Ex magno Rot. Stat. in Turr. Lond. m. 6 d.

Nr̃e Seignr le Roi Edward, a son parlement tenuz a Westm̃ as Octaves de Seint Hiller, lan de son regne trente octisme, de lassent des Prelats, Ducs, Countes, Barons, & cões de son Roialme illoeqes assemblez ad fait & ordeigne les choses q̃ ensuent.

Adeprimes q̃ la gnde Chartre, la Chartre de la Foreste, & les auꝰ estatutz faitz sibien en son temps, come en temps de ses ꝑgenitoꝛs, soient tenuz & gardez, & duement executz en touz pointz.

Et qnt a ceo q̃ ordene feust au derrein parlement de vivres & dappail, & qe nul Marchant Engleis ne usereit qune marchaundie, est acorde, q̃ touz gentz soient si franks come estoient de tut temps aunciene-ment, devant les dites ordinances, & meement come estoient en temps del aiel nr̃e Seignr le Roi, & de ses auꝰ bones ꝑgenitours: et q̃ touz Marchantz, sibien denzeins come aliens, puissent vendre, & achatre toute manr̃e de marchandie, & franchement ameisner hors du roialme, paiantz les Custumes & Subsides ent dues; forspris q̃ les Marchantz Engleis ne passeront hors du roialme leins ne pealx lanutz; et q̃ nul emporte hors du roialme or nargent, en plate nen monoie, sauvez les vitaillers de pesson, q̃ peschent harang & autre pesson, & ces q̃ amesnent pesson deinz le Roialme en petitz vesselx, q̃ ne se mellent dautre marchandie; & ce solonc larbitrement de Chaunceller.

Item est acorde, q̃ touz les fines, q̃ serrount apndre devaunt queconq̃s Justices, soient faites en ꝑsence de plegges; & q̃ les plegges sachent la Sõme de lour fines devant lour departir.

Statute the First.

OUR Lord King Edward at his Parliament holden at Westminster in the Utas of St. Hilary, the Eight and-thirtieth Year of his Reign, of the Assent of his Prelates, Dukes, Earls, Barons and Commons of his Realm there assembled, hath made and ordained the Things underwritten:

I. Charters and Statutes confirmed.

FIRST, That the Great Charter, and the Charter of the Forest, and the other Statutes made as well in his Time as in the Time of his Progenitors, be holden and kept, and duly executed in all Points.

II. The Statute 37 *Edw. III. chapter* 5, &c. repealed.

ITEM, [to that which [1]] was ordained at the last Parliament, of Living and of Apparel, and that no English Merchant should use but one Merchandise; It is ordained, That all People shall be as free as they were [at all Times [2]] before the said Ordinance, and namely as they were in the Time of the King's Grandfather, and his other good Progenitors: And that all Merchants, as well Aliens as Denizens, may sell and buy all Manner of Merchandises, and freely carry them out of the Realm, paying the Customs and Subsidies thereof due: except that the English Merchants shall not pass out of the Realm with Wools or Woolfels; and that none carry out of the Realm Gold nor Silver, in Plate nor in Money, saving the Victuallers of Fish that fish for Herring and other Fish, and they that bring Fish within the Realm in small Vessels, which meddle not with other Merchandises; and that according to the Arbitrement of the Chancellor.

All buying and selling declared free;

Except as to Export of Wools; and of Gold and Silver.

III. Fines on Pledges.

ITEM, It is accorded, That all the Fines to be taken before any Justices, shall be in the Presence of the Pledges, and that the Pledges know the Sum of their Fine before their departing.

[1] as to this that *MS. Tr.* 2. [2] in auncient tyme *MS. Tr.* 2.

IV. Foreign Bonds declared void.

ITEM, Whereas divers People be bound in [another Court [1]] out of the Realm by Instruments, and in other Manner; It is accorded, That all such Penal Bonds in the Third Person be void and holden for none.

V. Wager of Law in London against Papers.

ITEM, Whereas many People be grieved and attached by their Body in the City of London, at the Suit of the People of the same City, surmising to them that they be Debtors, and that will they prove by their Papers, whereas they have no Deed nor Talley; It is assented, That every Man be received to his Law by People sufficient of his Condition against such Papers, and the Creansour shall take Surety by another Way if he will, without putting the Party to plead to the Inquest, if he will not of his own gree.

VI. Penalty of Death under the Statute of the Staple 27 *Edw. III.* repealed.

ITEM, Whereas it was another Time ordained in the Statute of the Staple, that no Englishman should pass the Sea with Wools, Leather, nor Woolfels, by him nor by other, upon Pain of Forfeiture of Life and Member, Lands, Tenements, Goods and Chattels: It is accorded that the Forfeiture of Life and Member shall be wholly out [2]; and that no Man be impeached because of such Forfeiture of Life and Member, as well of Times past, as of the Time to come; and the Forfeiture of Lands and Tenements, Goods and Chattels, shall stand in their Force.

VII. The Statute of the Staple 27 *Edw. III.* confirmed.

ITEM, It is [3] assented, That the Staple shall be in England; and that the Statute of the Staple, made the said Seven-and-twentieth Year, with the Declarations, Additions, and Modifications thereof made, be holden and kept, notwithstanding any Grant, Licence, or other Statute or Ordinance made afterward.

VIII. A Ship shall not be forfeited for a Small Thing not customed.

ITEM, Whereas the Ships of divers People of the Realm be arrested and holden as forfeit, because of a little Thing put in their Ship not customed, whereof the Owners of the same Ships be ignorant; It is accorded and assented, That no Owner shall lose his Ship from the [fifteenth [4]] Day of February next coming forth, for such a small Thing put within the Ship not customed, without his Knowledge [5].

IX. The Statute 37 *Edw. III. chapter* 18, concerning Suggestions to the King, amended.

ITEM, As to the Article made at the last Parliament, of those that make grievous Complaints to the King himself; It is assented, That if he that maketh the Complaint, cannot prove his Intent against the Defendant by the Process limited in the same Article, he shall be commanded to Prison, there to abide till he hath made gree to the Party of his Damages, and of the Slander that he hath suffered by such Occasion; and after shall make Fine and Ransom to the King; and the Point contained in the same Article [6] that the Plaintiff shall incur the same Pain, which the other should have if he were attainted, [shall be out [7]] in case that his Suggestion be found untrue.

X. The Statutes of Wines confirmed.

ITEM, As to the [Merchants [8]] of Wines, and of those that pass the Sea to fetch Wines in Gascoine; for the Diversity of Opinions of divers, It is assented, That the Statutes and Ordinances thereupon made, shall stand in their Force.

XI. Merchants Denizens may fetch Wines from Gascony.

Aliens may bring Wines.

King and Council may regulate therein.

ITEM, The King will of his Grace and Sufferance, That all Merchants Denizens that be not Artificers, shall pass into Gascoign to fetch Wines there, to the End and Intent that by this general Licence greater Plenty may come, and greater [Market [9]] may be of Wines within the Realm; and that the Gascoigns and other Aliens may come into the Realm with their Wines and freely sell them without any Disturbance or Impeachment; always saved to the King, that it may be lawful to him, whensoever it [is advised to him or his Council,"] to ordain of this Article in the Manner as best shall seem to him for the Profit of him and his Commons.

XII. 34 *Edw. III. chapter* 8.

ITEM, As to the Article of Jurors in the Four and thirtieth Year; It is assented and joined to the same, That if any Juror in Assises sworn, and other Inquests to be taken between the King and Party,

[1] *the Court of another*
[2] *in the Statute of the Staple*
[3] *accorded and*
[4] xvi. *MS. Tr.* 2.
[5] *or privity*
[6] *shall be put out,*
[7] Omit these Words here.
[8] *Merchandize*
[9] *cheapness*
[10] *shall seem meet to him and his good Council*

Item come diꝰs gentz soient liez en autri Court, hors du roialme, ꝑ instrumentz & en autre mañe; est acorde, q̃ touz tieles liens penales, en la tierce ꝑsone, soient voides & p̃ nul tenuz.

Item come plusours gentz sount grevez & attachez ꝑ loꝛ corps, en la Citee de Lounds, a ꝑsuite de gentz de meisme la Citee, sꝰmettantz a eux qils sount dettoꝛs, & de ceo voillent ils ꝑver ꝑ lour papirs, la ou ils ne ont fait ne taille; est assentu q̃ chescun soit resceu a sa lei, ꝑ gentz sufficeantz de sa condicion, countre tieles papirs, & ꝓigne le creansour seurtee ꝑ autre voie sil vorra, sanz mettre la ꝓtie de pleder a lenqueste, sil ne le voet de son gree.

Item come autresfoitz feust ordeigne en lestatut de lestaple q̃ nul Engleis passeroit la meer ove leins, quirs, pealx lanutz, ꝑ luy ne ꝑ autre, sꝛ peine de forfaitꝛe de vie et de membre, ṫres & teñz, biens et chateux; est acorde, q̃ la forfaiture de vie & de membre soit ouste de tout, en lestatut de lestaple; & q̃ nul hõme soit empeschee, ꝑ cause de tiele forfaitꝛe de vie & de membre, sibien de temps passee, come avenir; la forfaiture de ṫres et teñz, biens et chateux, esteant en sa force.

Item est acorde & assentu, q̃ lestaple soit en Engleṫre; & q̃ lestatut de lestaple, fait lan xxviiᵐᵉ, ove les declaracions, addicions, & modificacions ent faites, soient tenuz et gardez; nul gⁿnt, conge, nautre estatut ou ordinance, faite depuis, contresteant.

Item, come les niefs de plusours gentz de roialme soient arestuz, & tenuz come forfaitz, ꝑ cause dune petite chose mise en lour dites niefs nient custumes, dont les Seignoꝛs du dites niefs sount mesconissantz; est acorde et assentuz q̃ nul Seignꝛ ꝑde sa nief, pꝛ tiele petite chose mise dedeinz nient custumez, del seszisme jour de Feṽer ꝓschein avenir en avant, sanz [seu, ou [1]] notice de luy.

Item qⁿnt al article fait au derrein ꝓlement, de ces qi fount grevouses pleintes au Roi meismes, est assentu, q̃ si celuy q̃ face sa pleinte ne poet ꝑver sa entent deꝰs le deffendant, ꝑ ꝓces limiteez en meisme larticle, qil soit cõmande a la prisone, a y demꝛer tanqil eit fait gree a la ꝓtie, de ses damages & de lesclaundre qil avera suffert ꝑ tiele cause, & aꝓs face fine & raunceon au Roi; & soit oustez le point en meisme larticle, q̃ le pleintif encourge meisme la peine q̃ lautre aṽeit sil feust atteint, en cas q̃ sa suggestion soit trove malveis.

Et qⁿnt a marchandie de vins, & de ces q̃ passerount de quere vins en Gascoigne, pꝛ la diṽsite des opinions de plusours, est assentuz, qe les estatutz & ordinances sꝛ ce faites estoisent en loꝛ force. Et le Roi voet, de sa gⁿce & suffraunce, q̃ touz Marchauntz denzeins, qe ne sount artificers, passent en Gascoigne de quere vins illoeqes, au fin & entente q̃ ꝑmy cest geñal congie greindre pleinte viegnent & meillour marche soient des vins deinz le roialme; & q̃ les Gascoignes, & touz autꝰ aliens, puissent venir en dit Roialme ove lour vins, & fraunchement vendre sanz nule destourbance ou empeschement toutdis sauve au Roi q̃ bien luy lise, a quele hure q̃ soit avis a luy et son bon conseil, de ordenir sꝛ cest article, en mañe q̃ meltz luy semblera pꝛ ꝓfit de luy & de sa cõe.

Item, qⁿnt al article fait des Juroꝛs lan xxxiiij, est assentu et ajouste a ycele, q̃ si nuls Juroꝛs en assises, jurees, & autꝰ enquestes aꝓndre, entre le Roi & partie

[1] *Printed Copies* omit.

ou partie & partie, riens ꝑignent ꝑ eux ou ꝑ aut̃s, de la ꝑtie pleintif ou defendant, p̃r dire lo̅r verditz, & de ceo soient atteint, ꝑ ꝑces contenu en meisme larticle, soit il a la suite de ꝑtie q̃ vorra suire p̃r luy meismes, ou p̃r le Roi, ou dautre ꝑsone queconqe, paie chescun des ditz Jurro's dis foitz a tant come il a̅ pris; et eit celuy q̃ ferra la suite lun moite, & le Roi lautre moite: et q̃ touz les embraceours demesner ou ꝑcurer tieles enquestes en paiis, p̃r gayn ou ꝑfit ꝑndre, soient puniz en meisme la manere & fo̅me come les Jurro's; et si Jurro̅r ou embraceour issint atteintz neit dont faire gree, en mañe susdite, eit la prisone dun an. Et est lentencion du Roi, g̃ntz, & cões q̃ nul Justice nautre Ministre enquerge doffice s̃r nul des pointz de cest article, mes soulement a la suite de partie, ou dautre, come dessus est dit.

or Party and Party, do any Thing take by them or other of the Party Plaintiff or Defendant, to give their Verdict, and thereof be attainted by Process contained in the same Article, be it at the Suit of the Party that will sue for himself, or for the King, or any other Person, every of the said Jurors shall pay Ten Times as much as he hath taken; and he that will sue shall have the one Half, and the King the other Half: And that all the Embraceors that bring or procure such Inquests in the Country to take Gain or Profit, shall be punished in the same Manner and Form as the Jurors; and if the Juror or Embraceor so attainted have not whereof to make Gree in the Manner aforesaid, he shall have the Imprisonment of one Year. And the Intent of the King, of the Great Men, and of the Commons is, that no Justice nor other Minister shall inquire of Office upon any of the Points of this Article, but only at the Suit of the Party, or of other, as afore is said.

Penalty on corrupt Jurors and Embraceors; Ten Times the Money taken, and Imprisonment; at the Suit of the Party, &c.

Ex magno Rot. Stat. in Turr. Lond. m. 4.

PUR nurrir amour paix & concorde entre leglise & le roialme & empescher & faire cesser les g̃ntz malx ꝑils & importables damages & grevances, qont este faitz & avenuz en temps passe & avendront enaꝑs, si la chose serroit soefferte passer avant, ꝑ cause de ꝑsoneles citacions, & autres qont passez avant ces hures, & passent cõement de jo̅r en autre, hors de la Courte de Rome ꝑ my faintes ou fauses suggestions & ꝑposicions, deceivantz le saint Piere encountre tout plein des ꝑsones du dit roialme, s̃r causes dount la cognissance & finable discussion apptient a nr̃e Seign̅r le Roi, & a sa Courte roiale & autrement & aussi des impet̃cions & ꝑvisions, faites en meisme la Courte de Rome, des benefices & offices desglise apptenantz a la donacion, presentacion, ou disposicion nr̃e dit s̃r le Roi, & dautres patrons lais de son Roialme, & des esglises, chapeles, & aut̃s benefices appropries as eglises cathedrales, collegiales, abbaiees priories chaunt̃iees hospitalx, & aut̃s pov̅s maisons, & des aut̃s dignitees offices & benefices, occupez en temps passe & ꝑsent ꝑ div̅ses & notables ꝑsones du dit roialme pur les queles causes & dependences dicelles les bones & auncienes lois, usages, custumes, & fraunchises du dit roialme ount estez & sount moult g̃ndement empeschez, blemiz, & confounduz, la Corone le Roi nr̃e Seign̅ abesse, & sa ꝑsone moult durement & fausement diffamee, les avoirs & richesses du roialme emportez, les ñitances & subgiz dicelx enpovriz & troubliz, les benefices desglises gastez & destruitz, divin ꝟvice, hospitalites, almoignes, & altres oevrs de charitee, entrelessez & souztraitz, les g̃untz cões, & subgitz du dit roialme t̃vaillez, & en corps & en biens domagez: Nr̃e dit Seignour le Roi, a son ꝑlement tenuz a Westm̃, en les Oytaves de Seynt Hiller, lan de son regne trente oytisme, eiant regard a la quiete de son poeple, le quel il desire ꝟsso̅vaignement a sustenir en t̃nquillite pais & repos, & go̅vnir solonc les lois, usages & fraunchises de sa t̃re, & sicome tenuz yest ꝑ son ꝟement donez en sa Coronacion; en eide & confort du Pape qi moult sovent a estee trublez ꝑ tieles & semblables importuns clam's & impet̃tions, & qi y meist voluntiers covenable remedie, si sa seyntetee estoit s̃r ces choses enfo̅mee; & passant ꝑmy les

STATUTE THE SECOND.

TO nourish Love and Peace, and Concord between Holy Church and the Realm, and to appease and cause to cease the great Hurt, Perils, and importable Losses and Grievances that hath been done and happened in Times past, and that shall happen hereafter, if the Thing from henceforth be suffered to pass, because of personal Citations, and other that be past before this Time, and commonly doth pass from Day to Day out of the Court of Rome by feigned and false Suggestions and Propositions (1) against all Manner of Persons of the Realm, upon Causes, whose Cognisance and final discussing pertaineth to our Lord the King and his Royal Court; (2) and also of Impetrations and Provisions made in the said Court of Rome, of Benefices and Offices of the Church, pertaining to the Gift, Presentation, Donation, and Disposition of our said Lord the King and other Lay Patrons of his Realm, and of Churches, Chapels, and other Benefices appropried to [Cathedral Churches,[3]] Abbeys, Priories, Chantries, Hospitals, and other poor Houses, and of other Dignities, Offices, and Benefices occupied in Times past and present by divers and notable Persons of the said Realm: For the which Causes, and the Dependants thereof, the good ancient Laws, (4) Customs, and Franchises of the said Realm have been and be greatly impeached, blemished, and confounded, the Crown of our Lord the King [abated,[5]] and his Person very hardly and falsly defamed, the Treasure and Riches of his Realm carried away, the Inhabitants and Subjects of the Realm impoverished and troubled, the Benefices of the Church wasted and destroyed, Divine Service, Hospitalities, Alms-deeds, and other Works of Charity [withdrawn and set apart,[6]] the Great Men, Commons, and Subjects of the Realm (7) in Body and Goods damnified: Our Sovereign Lord the King, at his Parliament holden at Westminster in the Utas of St. Hilary, the Thirty-eighth Year of his Reign; having a Regard to the Quietness of his People, which he chiefly desireth to sustain in Tranquillity [and Peace,[8]] to govern according to the Laws, Usages, and Franchises of his Land, as he is bound by his Oath made at his Coronation, (9) following the Ways of his Progenitors, which

The several Enormities of Citations, and of Impetrations of Benefices obtained from Rome.

I.

[1] deceivyng the holy fader *MS. Tr.* 2.
[2] and otherwise, *MS. Tr* 2.
[3] *Churches Cathedral and Collegiate*
[4] Usages,
[5] mynyshed,
[6] *neglected and withdrawn,*
[7] travailed, and *MS. Tr.* 2.
[8] *peace and rest, and*
[9] *in aid and comfort of the Pope, who hath been oftentimes troubled by such and the like importunate Clamours and Impetrations, and who would thereto willingly apply a fit remedy, if his Holiness were informed concerning these matters; and*

Of the Sentences relating to the Pope, though omitted from Berthelet's Edition 1543, and from all subsequent English Editions, a Translation is given in the English Edition printed by Myddleton, and also in *MS. Tr.* 2. but with some Inaccuracies.

for their Time made certain good Ordinances and Provisions against the said Grievances and Perils; which Ordinances and Provisions, and all the other made in his Time, and especially in the Twenty-fifth and Twenty-seventh Year of his Reign, Our Sovereign Lord the King, by the Assent and express Will and Concord of the Dukes, Earls, Barons, ([1]) and the Commons of his Realm, and of all other whom these Things toucheth, by good and [mete [2]] Deliberation and Avisement, hath approved, accepted, and confirmed, saving the Estate of the Prelates and other Lords of the Realm, touching the Liberty of their Bodies, so that by Force of this Statute their Bodies be not taken; joining to the same, hath provided and ordained, That all they which have obtained, purchased, or pursued, such personal Citations or other in any Times past, or hereafter shall obtain, purchase, or pursue such like, against him or any of his Subjects, and also all they that have obtained or shall obtain in the said Court, Deaneries, Archdeaconries, Provosties, and other Dignities, Offices, Chappels, or Benefices of Holy Church, pertaining to the Collation, Gift, Presentation, or Disposition of our said Sovereign Lord the King, or of other Lay Patron of his said Realm; and also all like Persons, Obtainers of Churches, Chappels, Offices, or Benefices of Holy Church, Pensions or Rents amortised and appropried to Churches Cathedral or Collegial, Abbies, Priories, Chanteries, Hospitals, or other poor Houses, before that such Appropriations and Amortisements be void and adnulled by due Process; also all they which have obtained in the same Court, Dignities, Offices, Hospitals, and any Benefices of Churches which be occupied at this present Season by reasonable Title by any Persons of the said Realm, if such Impetrations be not fully executed, or shall obtain hereafter like Benefices, whereby Prejudice, Damage, or Impeachment hath been or may be done hereafter to him or to his said Subjects, [in [3]] Persons, Heritages, Possessions, Rights, or [any Goods,[4]] or to the Laws, Usages, Customs, Franchises, and Liberties of his said Realm and of his Crown; also all their Maintenours, [Concealers,[5]] Abettors, and other Aiders and Fautours wittingly, as well at the Suit of the King as of the Party, or other whatsoever he be of the Realm, finding Pledges and Surety to pursue against them; in this Case all the said Persons defamed and violently suspect of such Impetrations, Pursuits, or Grievances [by Suspection,[6]] shall be arrested and taken by the Sheriffs of the Places and Justices in their Sessions, Deputies, Bailiffs, and other the King's Ministers; ([7]) by good and sufficient Mainprise, Replevin, Bail, or other Surety, the shortest that may be, [and [8]] shall be presented to the King and his Council, there to remain and stand to right, to receive what the Law will give them; and if they be attainted or convict of any of the said Things, they shall have the Pain comprised in the Statute made in the Twenty-fifth Year of the Reign of our Sovereign Lord the King, which beginneth, [Whereas late in the Parliament,[9]] &c.

Persons obtaining or purchasing Citations or Benefices from the Court of Rome,

and their Abettors,

shall be arrested, and held to Bail;

And on Conviction shall be punished according to the Statute 25 *Edw. III. st.* 5. *ch.* 22.

II. Suspected Persons not appearing after Warning, shall incur the Penalty of the Statute 27 *Edw. III. st.* 1. *ch.* 1.

ITEM, If any Person defamed or suspect of the said Impetrations, Prosecutions, or Grievances or Enterprises, be out of the Realm or within, and may not be attached or arrested in their proper Persons, and do not present them before the King or his Council, within Two Months next after that they be thereupon warned in their Places, if they have any, ([10]) in any of the King's Courts, or in the Counties, or before the King's Justices in their Sessions, or otherwise sufficiently, to answer to the King and to the Party, [to stand [11]] and be at the Law in this Case before the King and his Council,

voies de ses nobles ꝑgenito'rs, les queux p' le temps lors courrant firent ꝺteynes bones p'veiances & ordenaunces, encountre les avantditz grevaunces & ꝑils; les queles ordinances & p'veances & aussi toutes les aut̃s faites en son temps, & ꝑ especial en lan de son regne xxv. & xxvij^me, Nr̃e dit ſ' le Roi de lassentement & exꝑsse volunte & concorde des Ducs, Contes, Barons, Nobles & cões de son roialme, & de touz alt̃s q̃ la chose touche, ꝑ bone & meure delibacion & avisement, a approve, accepte, & conferme; sauf lestat des Prelatz & dalt̃s ſ's du roialme, touchant la libtee de lo' corps, si q̃ ꝑ force de cest estatut lour corps ne soit pais pris; ajoustant a ycelles a p'veu & ordene q̃ touz ceux qont impetrez p'chacez ou p'suiz tiels ꝑsoneles citacions & aut̃s en aucun temps passe, ou impetreront p'chacerount ou p'suerount semblables en temps avenir, encountre lui ou aucun de ses subgiz, & aussi touz ceux qount impetrez ou impetreront de la ꝺte Co't deanees, arcedeakenees, ꝑvostes & aut̃s dignitees, offices, chapelles ou aut̃s bnfices desglise quelconq̃s, appurtenantz a la collacion, donacion, ꝑsentacion ou disposicion nr̃e dit Seign' le Roi ou dautre patron lai de son dit roialme; Et aussi toutes sembleambles ꝑsones, impetro's desglises, chapelles, offices, benefices desglise, pensions, ou rentes amortiseez & appropriez as Esglises cathedrales ou collegiales, abbaies, Prioriees, chaunties, hospitalx, ou alt̃s po̅r̃s maisons, avant ceo q̃ tielx appropriacions & amortissementz soient cassez & anullez ꝑ due ꝑces; ensamble touz ceux qount impetrez en meisme la Co't, dignites, offices, hospitalx, ou bñfices quelconq̃s desglise, q̃ sount occupez au ꝑsent, ꝑ title raisonable ꝑ ascuns ꝑsones du dit Roialme, si tiel impet^acion ne soit ja pleinement execute, ou impetreront enaꝑs sembleables bnfices, ꝑ quoi ꝑjudice, damage, ou empeschement a estee, ou purra estre fait enaꝑs, a lui ou a ses ditz subgiz, [ou '] ꝑsones, heritages, possessions, droit'es ou biens quelconqes, ou a les lois, usages, custumes, f^unchises & libtees de son dit roialme, & de sa corone; ensemble touz leur meinteno's, counseille's, abbett's, & aut̃s aidantz & fauteurs scientement, taunt a la suite le Roi come de la ptie, ou dautre quelconq de roialme trovantz plegges & seurete de p'suir contre eux, en ceo caas soient toutes les dites ꝑsones, diffames & suspectes violenment de tiels impet^acions, p'suites ou grevances, arestuz & pris ꝑ les viscountes des lieux, & Justices en lour sessions deputez, Bailiffs, & aut̃s ministres le Roi; & ꝑ bone & suffisaunte maynprise, replevissement, bail ou altre pleglie, le plus brief q̃ faire se purra, soient ils ꝑsentez au Roi ou a son consail, p' y dem'er & ester a droit, & recevoir ceo q̃ la lei lour donrra; Et sils soient atteintz ou convaincuz daucunes des dites choses, aient la penance compris en lestatut, fait en lan nr̃e dit Seigno' le Roi xxv. q̃ comence, Au ꝑlement somons a Westm̃, &c.

Et si aucuns ꝑsones diffames ou suspectes des dites impetracions, ꝑsecucions, grevances ou entreprises, soient hors du dit roialme, ou dedans & ne purront estre attachez ne arestuz en lour ꝑpres ꝑsones, & ne se ꝑsentent devant le Roi ou son consail, dedeins deux mois ꝑschein aꝑs ce qils ꝺrount s' ceo garniz, en lour lieux si aucuns enaient, ou aucuns des Courtz le Roi, ou en les Countees, ou devant les Justices le Roi en lour Sessions, ou aut̃ement suffisaument, p' respoundre au Roi & a la ptie, & dem'er & estre a la lei en ceo cas devaunt le Roi & son consail,

[1] Nobles *MS. Tr.* 2. [2] *mature* [3] *or their*

[4] *goods whatever* [5] Councelers

[6] Omit these Words. [7] and [8] they

[9] *At the Parliament summoned at Westminster,*

[10] *or* [11] and there to abide *MS. Tr.* 2.

[1] en *Printed Copies.*

soient puniz p fourme & manere compris en lestatut fait lan xxvij^me nr̃e Seign^r le Roi, qe comence, Nr̃e Seigno^r le Roi de lassent & a la priere &c: & autrement sicome afaire semblera au Roi & a son consail, saunz faire a aucun deulx p nr̃e dit s^r le Roi aucune g^rce, pdonaunce ou remission, saunz la volante & assentement de la ptie q̃ se pvera estre greve, & sanz faire a luy due satisfaccion [en ce cas.[1]]

Item ordeigne est q̃ nul autre subget du dit Roialme, gardant & sustenant ces Ordinances, nencourge aucune forfait^re de vie, de membre, de t̃res, heritage, ne de biens, dev̄s le Roi nautre psone quelcon̄qe, ne ne pde estat ne faveur, p cause de les susditz choses ordenes; ne lui ne ses heirs ne purront ne devrront estre reprovez, diffameez, nempescheez, p aucuns des ditz causes en aucune temps aven̄. Et si aucune psone de quelconq̄ estat ou condicion qil soit p quelconq̄ man̄e q̃ ce soit, attempte ou face aucune chose a lencountre des dites ordinances, ou daucune chose comprise en ycelles, soit la dite psone meisne a respounse, en man̄e come dessus est dit, & si elle serra sur ceo attainte ou convaincue, mise hors la pteccion le Roi, & puniz p fo^rme du dit estatut de lan xxviime.

Et si aucune psone face maliciousemēt ou fausement aucun p^rsuite encountre psone quelconq̄ du dit roialme, p cause comprise en ces p̄sentes Ordenances, & de ceo soit duement attaint, soit tiel pleintif duement puniz a lordenance du Roi ou de son consail, & nientmeyns face gree & lamende a la ptie qe a estee grevee p sa pleinte. Et a fine q̃ les dites ordenances & chescun dycelles, p^r aise, quiete, & bien comun, soient le meiuz sustenuz executz & gardez, et q̃ touz ceux, q̃ ount mespris ou mesp̄ndrount encountre cestes ordenances, p psecucions, accusacions, denunciacions, citacions, ou pces, faites ou affaire hors du dit roialme ou dedeins, ou aut̄ement contre quelconq̄ psone du roialme, soient le plus covenablement & pmptement meisnez a respons, p^r receyvre droit solonc leur deserte; le Roi, les Prelatz, les Ducs, Countes, Barons & Nobles, Cões, Clercs & Lais, sont tenuz p ceste p̄sente ordenaunce a aider, conforter & consailler lun a lautre; & taunt sovent q̃ busoigne s̄ra, & p toutes les meillo's man̄es q̃ faire se pourra, de pole & de fait, p^r empescher tieux maffesours, & resister de faite a lour enterprises, & saunz les soeffrer habiter, demorrer, ne passer p lour Seign^ries, [puissance,[2]] t̃res, jurisdiccions, ne lieux; & sount tenuz de garder & defendre lune a lautre, de tout damage, vilaine, & repves, sicome ils ferroient lour ppres psones, & p^r leur fait & busoigne, & p tiele man̄e & si avant, come tieles psecucions ou pces fuissent faites ou atteintez encountre eux, en especial ou en commune.

[1] Interlined on the Roll.

[2] possessions *Printed Copies*.

(1) shall be punished by the Form and Manner comprised in the Statute made in the said Seven-and-twentieth Year of this King's Reign, which beginneth, "Our Sovereign Lord the King by the Assent (2) &c." and otherwise, as to the King and his Council shall seem to be done, without any Grace, Pardon, or Remission to be made (3) by the King, without the Will and Assent of the Party, which shall prove him to be grieved, and without making to him due Satisfaction in this Case.

No Pardon without Consent of the Party grieved.

III. Only Offenders specified shall incur any Forfeiture under this Ordinance.

ITEM, It is accorded, That none other Subject of the said Realm, keeping and sustaining these Ordinances, shall incur any Forfeiture of Life and Member, of Lands, of Heritage, nor of Goods, against the King, nor none other Person, nor lose Estate nor Favour because of the said Things ordained; nor (4) his Heirs may not nor ought not to be reproved, defamed, nor impeached by any of the said Causes at any Time hereafter. And if any Person, of whatsoever Estate or Condition that he be, by any Manner, attempt or do any Thing against the said Ordinances, or any Thing comprised in them, the same Person shall be brought to answer in the Manner as is aforesaid, and if he be thereupon attainted or convict, he shall be put out of the King's Protection, and punished after the Form of the said Statute made the said xxvii. Year.

IV. Penalty on Persons maliciously prosecuting under this Ordinance.

ITEM, If any Person maliciously or falsly make any Pursuit against any Person of the said Realm, for Cause comprised in these present Ordinances, and thereof be duly attainted, such Plaintiff shall be duly punished at the Ordinance of the King and his Council; and nevertheless he shall make Gree and Amends to the Party grieved by his Pursuit. And to the Intent that the said Ordinances, and every of the same, for the [Ease, Quietness, and Wealth of the Commons,[5]] be the better sustained, executed, and kept; and that all those that have offended, or shall offend against these Ordinances, by Prosecutions, Accusations, Denunciations, Citations, or other Process made or to be made out of the said Realm or within, or otherwise against any Manner of Person of the said Realm, be the more covenably and speedily brought in Answer, to receive Right according to their Desert; The King, the Prelates, Dukes, Earls, Barons, Nobles, and [other[6]] Commons, Clerks, and Lay-people, be bound by this present Ordinance to aid, comfort, and to counsel the one the other; and as often as shall need, and by all the best Means that may be made of Word and of Deed, to impeach such Offenders, and resist [their Deeds and[7]] Enterprises, and without suffering them to inhabit, abide, or pass [by[8]] their Seignories, [Possessions,[9]] Lands, Jurisdictions, or Places; and be bound to keep and defend the one the other from all Damage, Villainy, and Reproof, as they should do their own Persons, and for their Deed and Business, and by such Manner, and as far forth, as such Prosecutions or Process were made or attempted against them in especial, [general,] or in common.

All People shall assist in enforcing this Ordinance.

[1] *they*

[2] *and at the prayer*

[3] to any of them *MS. Tr.*2.

[4] he nor *MS. Tr.*2.

[5] *common ease, quietness and good,*

[6] Omit this Word.

[7] *in deed their*

[8] *through*

[9] *Dominion,*

Anno 42° EDWARDI, III. A.D.1368.

Statutū editū apud Westm̄ primo die Maij anno xlij° Regis E. t'cij.

In Margine Rotuli.

A STATUTE made at Westminster on the First Day of May, in the Forty-second year of King EDWARD III.

I. Confirmation of the Charters.

AT the Parliament of our Lord the King, holden at Westminster the First Day of May, the Two-and-fortieth Year of his Reign, It is assented and accorded, That the Great Charter and the Charter of the Forest be holden and kept in all Points; and if any Statute be made to the contrary, that shall be holden for none.

II. Confirmation of the Pardon granted in 36 Edw. III.

ITEM, It is assented, That the Pardon which the King made to his Commons the xxxvi. year be holden in all Points; and if any feel himself grieved against the Form of the same, he shall have a Writ in the Chancery to allow the Points of the said Pardon.

III. None shall be put to answer without due Process of Law.

ITEM, At the Request of the Commons by their Petitions put forth in this Parliament, to eschew the Mischiefs and Damages done to divers of his Commons by false Accusers, which oftentimes have made their Accusations more for Revenge and singular Benefit, than for the Profit of the King, or of his People, which accused Persons, some have been taken, and [sometime [1]] caused to come before the King's Council by Writ, and otherwise upon grievous Pain against the Law: It is assented and accorded, for the good Governance of the Commons, that no Man be put to answer without Presentment before Justices, or Matter of Record, or by due Process and Writ original, according to the old Law of the Land: And if any Thing from henceforth be done to the contrary, it shall be void in the Law, and holden for Error.

IV. Commissions of Inquiry shall in all Cases be granted to the Judges, or Justices of the Peace.

ITEM, Because that Commissions have been made and granted in divers Counties, at the Procurement of certain Persons, to inquire of certain Articles, which Commissioners have made their Inquiries in secret Places, and by People not sufficient, and of their Covin, more to their private Profit than for the King's Advantage, or of his People; It is assented and accorded, That from henceforth in all Inquiries within the Realm Commissions shall be made to some of the Justices of the one Bench or of the other, or Justices of Assise, or Justices of the Peace, with others of the most worthy of the Country, as well for the King's Profit as the Commons: saving in the Office of the Escheatorship [or Thing [2]] that toucheth the same Office.

V. Escheator shall have xxl of Land; and execute his Office in Person.

ITEM, Whereas it is contained [in the Statutes ordained [3]] for the common Profit of Escheators, that none should be Escheator unless he have sufficient Land, whereof he may answer to the King and to his People; It is assented, That no Escheator shall be made unless he have xx l. of Land at the least, or more, in Fee; and that they do their Office in proper Person; and if any other be, he shall be put out.

VI. The Statute of Labourers enforced.

ITEM, It is accorded and assented, That the Statute and Ordinance made of Labourers and Artificers, be holden and kept and duly executed; and thereupon Commissions shall be made to the Justices of Peace in every County, to hear and determine the Points of the said Statute, and to award Damages at the Suit of the Party, according to the Quantity of the Trespass.

[1] *others* [2] *in any thing* [3] *and ordained in the Statutes*

Ex magno Rot. Stat. in Turr. Lond. m. 3.

EN le plement nr̃e f̃r le Roi tenuz a Westm̄ le primer jour de May lan de son regne quarantisme second, est assentu & acorde q̃ la g̃nde Chartre & la Chartre de la Foreste soient tenuz & gardez en touz pointz; et si nul estatut soit fait a contraire soit tenuz p̃r nul.

Ensement est assentu q̃ la pardon q̃ le Roi fist a sa cõe lan trente sisme, soit tenuz en touz sez pointz; et si nul se sent greve contre la forme dicelle, il aꝑa brief en Chancellerie dallower les pointz du dit ꝑdon.

Item a la requeste de la cõe ꝑ leur peticion mis avant en ce ꝑlement, p̃r ouster meschiefs & damages, faitz as pluseurs de sa dite cõe ꝑ faux accusours, q̃ sovent ont fait leur accusementz plus p̃r vengeance & singulere ꝑfit q̃ p̃r ꝑfit du Roi ou de son poeple, queux accusez ont este aucuns pris & autres faitz venir devant le conseil le Roi ꝑ brief, & autrement, s̃r greve peine, & encontre le leye; est assentu & accorde p̃r le bone goꝝnement de la cõe q̃ nul hõme soit mis arespondre sanz ꝓsentement devant Justices, ou chose de record, ou ꝑ due ꝑcesse & brief original, solonc launcien leye de la ꝛre; et si rien desore enavant soit fait al encontre soit voide en leye & tenuz p̃r errour.

Item porce q̃ cõmissions ont este faitz & g̃ntez en diꝝs Contees, as ꝑcurementz de ꝛteins ꝓsones, denquere de ꝛteins articles, queux Cõmissioners font leur enquerrees en places privees, & ꝑ gentz nient sufficeantz, & de leur covyn, plus au ꝑfit de eux q̃ en avantage du Roi ou de son poeple; est assentu & accorde, q̃ desore, en touz enquerrez deinz le Roialme, soient cõmissions faites as ascuns des Justices de lun Bank ou de lautre, ou Justices dassises, ou Justices de la pees, ovesq̃ autres de meulx vauez du paiis, sibien p̃r ꝑfit du Roi come de la cõe; sauve en loffice deschetour, en chose q̃ touche celle office.

Item come contenue soit & en les estatuz ordenez, p̃r cõe ꝑfit des Escheto's, q̃ nul Escheto̅r soit, sil neit sufficeantie de ꝛre, dont il poet respondre au Roi & a son poeple; est assentu, q̃ nul Eschetour soit fait sil neit vint liꝝees de ꝛre au meinz ou plus en fee; & qils facent leur office en ꝑpre ꝓsone, & si autre soit, soit ouste.

Item, est accorde & assentu, q̃ lestatut & ordenance faitz de laborers & artificers, soient tenuz & gardez & duement executz; & s̃r ycels soient cõmissions faites as Justices de la pees en chescun Contee, doier & ꝛminer les pointz du dit estatut, & de agarder damages al suite de ꝑtie, solonc la quantite de ꝛspas.

Item est assentu q̃ ceux de Londres & nul autre vendent a retaille vitailles tantseulement, & ce de especiale g̃ce du Roi tanq̃ au p̃schein plement, sur condicion qil soit bien reulee & gov̄nee en le mesne temps a cõe pfit: et est lentencion du Roi q̃ nul p̃judice soit faite as aliens q̃ ont f'nchises p chartres des Rois.

Item est assentu & accorde p̃r pfit du Roialme q̃ nul Engleis passe en Gascoigne p̃r vins quere illoeqes, mais soient amesnez en Englet̄re p les Gascoignes & autres aliens, et s̃r ce soit defens fait pmy le Roialme: et q̃ nul Engleis mette en mains des ditz Gascoignes ou aliens, ne illoeqes mande, ore nargent nautre marchandie, p̃r ent faire achate des vins al oeps des Engleis, s̃r forfait'e del or, argent, ou marchandises issint mis en mains, ou mandez; et q̃ toutes les niefs Dengleterre & de Gascoigne, q̃ viegnent en Gascoigne, soient primement frettez p̃r amesner vins en Englet̄re devant toutes autres; et q̃ nul Engleis bargaine ne achate tieux vins, venantz en Englet̄re, avant qils soient mis a t̄re solonc la forme de lestatut ent fait: et tendra ceste ordenance lieu a la Geule daugst p̃schein avenir enavant; et q̃ nul garant soit faite a nul Engleis a contraire.

Ensement p la ou en la v̄te cire est mande a Visconte p̃r lever les dettes le Roi, les Ministres des viscontes les levent p roulles & autres remembrances, & ne monstrent les dites estretres desouz le seal del Escheqier, issint q̃ ce q̃st leve une foitz vient autrefoiz en demande, p cause qils ne se chargent au plein de ce qest leve, en deceit du Roi & empov̄issement de son poeple; est ordene & assentu q̃ hõme veie les dites estretes enseallees, & q̃ ce qest paie soit tottee, et meismes les estretes mandez as Viscontes s̃r la receite: et si aucuns viscontes ou ministre face au contraire, soit tenuz de respondre a la ptie q̃ de ce soi voet pleindre, de ses damages a treble, & face fin au Roi: et qil eit sa seute sibien devant Justicz de la pees, come devaunt autres Justices: et q̃ les viscontes soient tenuz daccompter p meismes les estretes issint tottez, & p nul autre: et ne soient les estretes doublees p les Viscontes, mais la copie de les estretes en q̃ntq̃ touchent franchise des f̃'s, soient liv̄eez as Baillifs des franchises souz le seal du visconte, et q̃ meismes les Baillifs rendent lour accompt en lescheqier p meismes les copies issint liv̄ez: et ensement q̃ nul Visconte, Souzvisconte, ne clerc de visconte, demoerge en son office outre un an, come ordene est des Viscontes p estatutz.

Aussint s̃r la peticion mis en plement p la cõe, suppliant q̃ les enfantz neez pdela deinz les Seign'ies de Caleys, Guynes & Gascoigne, & aillours deinz les t̄res & f̃'ies q̃ apptiegnent a n̄re f̃r le Roi pdela, soient si avant ables & enheritables de leur heritages en Englet̄re, come autres enfantz neez deinz le Roialme Dengleterre; est accorde & assentu, q̃ la cõe leye & lestatut s̃r ce point autrefoiz faitz, soient tenuz & gardez.

Item porce q̃ div̄ses meschiefs sont avenuz, p cause q̃ les panelles des enquestes, qont este prises devant Justices p brief de Scire facias & autres briefs, nont pas este retournez devant les Sessions des Justices a la Nisi prius & autrement, si q̃ les pties ne p'rent avoir conissance des nouns des psons q̃ passeront en lenqueste, p quei pluseurs gentz ont este desheritees & subduitz; si est ordene q̃ nulle enqueste forspris assises & deliv̄ances des gaoles, soient prises p brief de Nisi prius ne en autre m̄ne, a suite de nully g̃nt

ITEM, It is accorded, That they of London and none other, shall sell at retail Victuals only, and that of the King's special grace, till the next Parliament, upon Condition, that it be well ruled and governed in the mean Time to the common Profit: And it is the King's Mind, that no Prejudice be done to Aliens, which have Franchises by the Kings' Charters.

VII. Londoners priviledged to sell at retail Victuals only.

ITEM, It is assented and accorded, for the Profit of the Realm, That no Englishman shall pass into Gascoigne, to seek Wines there, but they shall be brought into England by the Gascoins and other Aliens, and thereupon Defence shall be made through the Realm: And that no Englishman put in the Hands of the said Gascoins or Aliens, nor thither send Gold nor Silver nor other Merchandises, thereof to buy Wines to the Use of Englishmen, upon Forfeiture of the Gold and Silver or Merchandises so put in their Hands or sent; and that all the Ships of England and of Gascoigne that cometh into Gascoigne, shall be first freighted to bring Wines into England before all other; and that no Englishman bargain nor buy such Wines coming into England, before that they be put to Land, according to the Form of [the said Statutes [1]] thereof made: And this Ordinance shall hold place from the Gule of August next ensuing forward; and that no Warrant be made to any Englishman to the contrary.

VIII. English Merchants shall not pass into Gascoigne to fetch Wines; nor buy Wines until landed.

ITEM, Whereas [the green Wax is sent [2]] to Sheriffs to levy the King's Debts, the Sheriffs Ministers do levy the same by Rolls, and other Remembrances, and do not shew the same Estreats under the Seal of the Exchequer, so that which is once levied, cometh another Time in Demand, because that they do not charge them fully of that which is levied, in Deceit of the King, and Impoverishment of his People; It is ordained and assented, That a Man shall see the same Estreat sealed, and that the same which is paid, be totted, and the same Estreats sent to the Sheriffs upon the Receipt: And if any Sheriff or Minister do to the contrary, he shall be charged to answer to the Party, which thereof will him complain, his treble Damages, and make Fine to the King: And that he have his Suit as well before Justices of the Peace, as before other Justices: And that the Sheriffs be bound to accompt by the same Estreats so totted, and by none other: And the same Estreats shall not be doubled by the Sheriffs, but the Copy of the Estreats, wherein they touch the Franchises of Lords, shall be delivered to the Bailiffs of the Franchises under the Seal of the Sheriff, and that the same Bailiffs yield their Accompt in the Exchequer by the same Copies so delivered: And also that no Sheriff, Under-Sheriff, nor Sheriff's Clerk, abide in his Office above one Year, as it is ordained [3] by the Statute.

IX. In levying the King's Debts, the Estreats shall be shewed to the Party indebted, and the Receipts totted. Sheriffs shall account by such Estreats. Sheriffs, &c. shall continue in Office one Year only.

ITEM, Upon the Petition put in the Parliament by the Commons, desiring that Infants born beyond the Sea, within the Seignories of Calais, [4] and elsewhere, within the Lands and Seignories that pertain to our Lord the King beyond the Sea, be as able and inheritable of their heritage in England, as other Infants born within the Realm of England; It is accorded, [5] That the Common Law, and the Statute upon the same Point another Time made, be holden [6].

X. Of Children born Abroad, the old Law shallcontinue.

ITEM, Forasmuch as divers Mischiefs have happened, because that the Panels of Inquests which have been taken before Justices by Writ of Scire facias, and other Writs, have not been returned before the Sessions of the Justices at the Nisi prius, and otherwise, so that the Parties could not have Knowledge of the Names of the Persons which should pass in the Inquest, whereby divers of the People have been disherited and oppressed; It is ordained, That no Inquest, but Assises and Deliverances of Gaols, be taken by Writ of Nisi prius, nor in other Manner, at the Suit of any, Great or

XI. Names of Jurors shall be returned previously to Sessions at Nisi Prius;

[1] *the Statute* [2] *in the green Wax, it is given in charge*
[3] *concerning Sheriffs* [4] *Guines and Gascony,*
[5] *and assented* [6] *and kept*

Panels in Assises shall be arrayed Four Days before the Sessions.

Small, before that the Names of all them that shall pass in the Inquests be returned in the Court: And that the Sheriffs array the Panels in Assises Four Days at at the least before the Sessions of the Justices, upon Pain of Twenty Pound, so that the Parties may have the View of the Panels, if they the same demand. And as to the Return or Answer of the Bailiffs of Franchises, they shall make their Answer to the Sheriff Six Days before their Session upon the same Pain. And in all Manner of Panels arrayed by the Sheriffs, or Bailiffs within Franchise, shall be put the most substantial People, and worthy of Credit, and not suspect, which have best Knowledge of the Truth, and be nearest.

Good Jurors shall be returned in all Panels.

ne petit, avant ce q̃ les nouns de touz yceux qi passeront en les enquestes soient retor̃nees en Courte: et q̃ les Viscontes arraient les panelles en assises quatre jours a meinz devant la Session des Justices, sur peine de vint livres, issint q̃ les p̈ties peussent avoir la veue des panelles, sils le demandent. Et q̃nt a retor̃ne ou respons des baillifs des franchises, facent leur respons as viscontes p̈ sis jours devant leur Session, sur meisme la peine. Et en toute mañe des panelles arraiez p̈ viscontes ou baillifs deins franchise, soient mis les meulz vauez sufficeantz & dignes de foy & nient suspectz, qont meillour conissanc̃e de la vite, & pluis p̈scheins.

Anno 43° EDWARDI, III. A.D. 1369.

STATUTE made in the Parliament holden at Westminster, On the Octave of the Holy Trinity.

The Danger which might ensue by keeping the Staple at Calice.

EDWARD by the Grace of God, [&c. to the [1]] Sheriff of Stafford, Greeting. Whereas of late it was ordained for the Profit of the Realm, and Ease of Merchants of England, that the Staple of Wools, Woolfels, and Leather should be holden at Calice, and there it hath been sithence the First Day of March, the Seven-and-thirtieth Year [of our Lord the King that now is; [2]] and now because the Peace another Time taken between the Realms of England and France is by the Frenchmen broken, and great Peril [3] might come to the Goods of the Realm there being, and coming by the Sea to the same Staple out of England, if the same Staple were [4] continued; and thereupon the Prelates, Great Men, and Commons seeing the Mischiefs and Perils which may happen to the Goods and Merchandises in this behalf, pray the King in this present Parliament holden at Westminster at the Utas of the Holy Trinity, the Three-and-fortieth Year of his Reign, thereupon to ordain Remedy:

I. The Staple removed from Calais.

OUR Sovereign Lord the King, having thereupon full Deliberation and Advisement with his great Council, [5] hath ordained; That [the Staples of Calais, &c.[6]] shall be wholly put out; and the Staples of Wools, Woolfels, and Leather of the Realm of England, shall be holden in the Places under-written, that is to say; at Newcastle [7], Kingston upon Hull, Saint Botolph, Yarmouth, Queenborough, Westminster, Chichester, Winchester, Exeter, and Bristol; and the Staples of Ireland and of Wales shall be in the Places where they were first ordained: And moreover it is ordained, That all Merchants, Aliens and Denizens, may freely go through England, Ireland, and Wales, and buy and sell Wools, Woolfels, and Leather, and all other Merchandises at their will, without Impeachment or Disturbance; so that no Wools, Woolfels, nor Leather, shall pass out of the Realm of England, Ireland, nor Wales, till they be brought to the Staples, and there weighed, cocketted, and customed; and that all the Wools that shall be brought to the Staples at Westminster and Winchester,

Staples in England.

Merchants, Aliens and Denizens, may freely buy Wools.

Regulations for weighing and sealing Wools.

[1] *King of England and France, and Lord of Ireland, to our*
[2] *of our reign;* [3] *of loss* [4] there *MS. Tr. 2.*
[5] *at the request of the Prelates, Great Men, and Commons being in the same Parliament* [6] *the Staple of Calais.*
[7] *upon Tyne*

Ex magno Rot. Stat. in Turr. Lond. m. 2.

EDWARD p̈ la g̃ce de Dieu Roi Dengleter̃e & de France & Seign̄r Dirland, a nr̃e Visconte de Stafford saluz. Come nadgairs estoit ordeigne p̄ p̈fit du roialme & ees des Marchantz Dengleter̃e, q̃ lestaples de leins peaux lanuz & quirs soient tenuz a Caleis, & illoeqes ad este puis le primer jour de Marcz lan de nr̃e regne trent septisme; & ore, p̈ cause q̃ la pees autfoith pris p̈entre les roialmes Dengleter̃e & de France est p̈ les F̃nceys enfreint & g̃nt p̈il de p̈de purroit avenir as biens du roialme illoeqes esteantz, & venantz p̈ mere a mesme lestaple hors Dengleter̃e, si mesme lestaple feusse illoeqes continue; & s̄ ce les Prelatz g̃ntz & cões, veiantz les meschiefs & p̈ils q̃ purroient avenir a les biens & marchandises celle p̈tie, Prierent a nr̃e s̄ le Roi, en cest p̈sent p̈lement tenuz a Westm̃ a les Octaves de la Trinite, lan de son regne Dengleter̃e quarante tierce, s̄ ce ordeigner remede: Nr̃e Seign̄r le Roi, eu sur ce plein delib̃acion & avisement ove son g̃nt conseil, [a la request des Prelatz, g̃ntz & cões esteantz en mesme le plement,[1]] ad ordeigne q̃ [lestaple de Caleis [2]] soit de tout ouste; & lestaples des leins, peaux lanuz & quirs du roialme Dengleter̃e, soient tenuz es lieux souzescriptz, cestassavoir; a Neofchastel sur Tyne, Kyngestoñ sur Hull, Seint Bothulf, Jernemuth̃, Quenesburgh̃, Westm̃, Cicestr̃, Wyncestr̃, Excestr̃, & Brustuyt; & lestaples Dirland & Gales es lieux ou ils estoient primement ordeinez: et outre ce est ordeigne, q̃ touz Marchantz aliens & denzeins, puissent franchement aler p̈ toute Engleter̃e, Gales & Irland, & achater & vendre leins, peaux lanutz & quirs, & toutes autres marchandises a lour volunte, sanz null empeschement ou destourbance; issint q̃ nulles leins, peaux lanuz ne quirs passent hors du roialme Dengleter̃e, Gales ne Irland, tanqils soient amesnez a les staples & illoeq̃s poisez, cokettez & custumez; & q̃ touz les leins q̃ s̄ront amesnez a lestaple de Westm̃ & Wyncestr̃

[1] *Printed Copies* omit.
[2] les estaples de Caleys, &c. *Printed Copies.*

soient entre marchant et marchant, ou marchant et autres, loialment poisez [p lestandard ; '] & chescun sak & sarplere dycelles leins, issint poisez ensealez souz les sealx des Meirs de les staples, & des Conestables, ou Meir & un des ditz Conestables: et q̃ touz les leins issint seallez a lestaples, & aussint quirs, peaux lanuz qe vendrent illoeqes, paiez ent la custume de lestaple, soient tesmoignez p bille, ensealle de sealx des Meirs de lestaples & des Conestables, ou de Meir & un des ditz Conestables, & mesnez cestassavoir de lestaple de Westm̃ au port de Loundres, et de Wyncestr̃ al port de Suthamptoñ; & illoeqes soient les ditz leins aũsfoitz poisez, en p̃sence de noz custumers & Counterollours assignez en mesmes les portz; et soit endenture faite entre le Meir de lestaple & les Conestables, ou Meir & un des ditz Conestables, esteantz es ditz portz, et noz Custumers illoeqes, de toutes les leins issint poisez, & auxint des quirs & peaux lanuz q̃ vendront a mesmes lestaples p' passer illoeqes; & mesmes ceux leins, & auxint quirs & peaux lanuz, custumez & cokettez, & les custumes ent duez paiez a noz Custumers, en les ditz portz. Et mesmes les leins, peaux lanuz, & quirs, & touz autres leins, bien & loialment poisez, cokettez & custumez, en les autres portz & estaples suisditz, soient amesnez hors du dit Roialme & t̃res, p aliens quele pt q̃ lo' plerra a lo' voluntes, & nemy p denzeins. Et si nul denzein face a lencontre encourge la forfait'e de les leins, quirs, & peaux lanuz, & demprisonement de son corps p trois ans, & outre soit reint a la volunte le Roi; & soit la nief charge ove les ditz marchandises a qi qil soit forfait au Roi.

Item, come au plement tenuz lan quarrant second estoit ordeigne, q̃ nul Engleis passeroit en Gascoign p' quere vyns illoeqes, mes q̃ les vins fuissent amesnez en Engleť̃re, p les Gascoignes & autres aliens; & coment q̃ la dit ordinance ad este p assay pfitable au toute le Roialme, nientmeins le Roi, a la request de son t̃sch̃ fitz le Prince, q̃ sad sovent pleint q̃ ses subsides & custumes de vins, en sa Principalte Daquitaigne, ont este appetizes & amenusez, p cause q̃ les Engleis ne yvenent p' achatre les vins, come ils soleient, & p tant demoert g'nt ptie des vins nient venduz, voet & g'nt, del assent des Prelatz, g'ntz & cões, q̃ touz Engleis, Irrois & Galeys, q̃ ne soient artificers, puissent franchement passer en Gascoign̄ p' quer vins illoeqes, trovant sufficeant seurtee avant son passage, devant les Meir & baillifs, ou baillifs la ou Meir nest, de la ville ou port ou il passera, qil achatera en Gascoign̄ Cent tonelx de vin, & nientmeins, de ses biens ppres & dautrie, et les amesnera ou ferra amesner en Engleťre Gales ou Irland & null pt aillo's. Et si autrement soit fait p ascun Engleis, Gales ou Irrois, soient les vins, & les niefs amesnantz les ditz vins, forfaitz au Roi, & eit (2) la prison de un an, & outre soit reint a la volunte le Roi. Et si ascun Engleis passe en Gascoign̄ sanz trover tiel seurtee, encourge la forfait'e de touz ses biens dev̄s le Roi. Et soient les ditz seurteez t̃ifiez & retournez en la Chauncellerie le Roi, p les ditz Meir & baillifs, ou p baillifs ou Meir ny a, deux foith p an, cestassavoir a les octaves de la Chaundeleur, & a la Goule Daust. Et si null Meir ou baillifs soeffrent ascun Engleis passer, tanqil eit trove tiel seurtee, ou sils ne t̃ifient en Chancellerie en mañe come dit est, encourgent lemprisonement de lo' corps dun an, & outre soient reintz a la volunte le Roi.

[x] Interlined on the Roll. [2] chescun *Printed Copies.*

shall be betwixt Merchant and Merchant, or Merchants and other, lawfully weighed by the Standard; and every Sack and Sarpler of the same Wools so weighed, sealed under the Seals of the Mayor of the Staple, and of the Constables, or Mayor and one of the Constables: And also that all the Wools so [weighed and] sealed at the Staples, and Leather and Woolfels that there shall come, the Customs of the Staples thereof paid, shall be witnessed by Bill, ensealed of the Seals of the Mayor of the Staple and Constables, or Mayor and One of the Constables, and brought [from '] Westminster to the Port of London, and from Winchester to the Port of Southampton; and there the said Wools shall be another Time weighed in the Presence of our Customers and Comptrollers assigned in the same Ports: And an Indenture shall be made betweeen the Mayor of the Staple and the Constables, or Mayor and One of the Constables being in the said Ports, and our Customers there, of all the Wools so weighed, and also of the Leather and Woolfels, which shall come to the same Staple to pass there; (2) And the same Wools, Leather, Woolfels, and all other Wools, well and lawfully weighed, cocketted, and customed in the other Ports and Staples aforesaid, shall be brought out of the said Realm and Lands by Aliens, to what Part shall please them at their Wills, and not by Denizens. And if any Denizen do against the same, he shall incur the Forfeiture of the Wools, Leather and Woolfels [so passed,] and of Imprisonment of his Body by Three Years, and moreover be ransomed at the King's Will; and the Ship charged with the same Merchandises, to whomsoever he be, shall be forfeit to the King.

Wools shall be exported by Aliens only.

Penalty on Denizens exporting.

II.

42 Edw. III. chapter 8.

ITEM, Whereas in the Parliament holden in the xlij. Year, It was ordained, That no Englishman should pass into Gascoine to fetch Wines there, but that the Wines should be brought into England by the Gascoins and other Aliens; and though that the said Ordinance hath been by Assay profitable to all the Realm; nevertheless, at the Request of his dear-beloved Son the Prince, which hath oftentimes complained, that his Subsidies and Customs of Wines, in his Principality of Guion, have been abridged and minished, because that Englishmen do not come there to buy Wines, as they were wont, and by so much a great Part of the Wines be not sold, the King will and granteth, of the Assent of the Prelates, Great Men, and Commons, That all Englishmen, Irishmen, and Welshmen, that be not Artificers, may freely pass into Gascoigne, to fetch Wines there, finding sufficient Surety before his Passage, before the Mayor, (3) or Bailiffs where no Mayor is, of the Town or Port, where he shall pass, that he shall buy in Gascoine an Hundred Tons of Wines and not less, of his proper Goods and of others, and bring (4) the same into England, Wales, or Ireland, and to no Place elsewhere. And if it be otherwise done by any Englishman, Welshman, or Irishman, the Wines, and Ships bringing the same Wines, shall be forfeit to the King, and every of them shall have One Year's Imprisonment, and moreover be ransomed at the King's Will. And if any Englishman pass into Gascoine without finding such Surety, he shall incur the Forfeiture of all his Goods to the King. And the said Sureties shall be certified and returned in the King's Chancery, by the said Mayor and Bailiffs, or by the Bailiffs where no Mayor is, Two Times by Year, that is to say, at the Utas of Candlemas, and at the Gule of August. And if any Mayor or Bailiff suffer any Englishman to pass till he have found such Surety, or they do not certify in the Chancery in the Manner as is aforesaid, they shall have One Year's Imprisonment of their Body, and moreover be ransomed at the King's Will.

Englishmen, &c. under certain Regulations may fetch Wine from Gascony.

[1] *that is to say, from the Staple of*

[2] *and the same Wools, and also Leather and Woolfels, shall be customed and cocketed, and the Customs thereof due be paid to our Customers in the said Ports.*

[3] *and Bailiffs* [4] *or cause to be brought*

The Statute 42 Edw. III. c. 8. not repealed, but suspended.

And it is not the Mind of the King, the Great Men, nor of the Commons, that the Ordinance made of the said Wines, the said xlii. Year, be repealed or annulled, but shall abide in Suspence till a Man may see what Profit or Damage this present Grant hereafter shall do in the Realm. And the King will that the Gascoins and their Servants, [and all other,] whensoever please them, may come with their Wines into England, Wales, and Ireland as freely, and in the Manner as it was ordained in the said xlii. Year, or in any Time before.

III. Extortions of the King's Butler.

ITEM, Forasmuch as the Great Men and Commons of the Realm before this Time, and now in this present Parliament, have grievously complained, for that the King's Butler and his Lieutenants in divers Places and Ports of the Realm, have ingrossed and taken by Colour of their Office, for the House and Expences of the King, (') and by such Colour have arrested the Wines [which '] Merchants brought into the said Realm, and holden them so long in Arrest, that the Great Men [and Commons,] and other of the Realm, cannot thereof make their Purveyance, nor Merchants their Profit, and oftentimes by such Colour have ingrossed and taken of them so many [Tuns of] Wine, above that was needful for the King, that they have commonly sold the same, and thereof made their singular Profit, and as much as other Merchants and Vintners in the Realm, to the great Damage of the said Merchants and other: Whereupon the King desiring to ordain Remedy, of the Assent of the Great Men and Commons in this present Parliament, hath ordained, That the Butler, nor any of his Lieutenants, shall not buy, ingross, nor take, by Colour of their Office, nor in other Manner to their proper Use, nor of others, more Wines for the House and Expence of the King than they have in Commandment, upon Pain of Imprisonment of their Bodies, and to be ransomed at the King's Will: And as much as they shall take by Force of the said Warrant, shall be taken within Ten Days; and, that done, the Merchants of the said Wines may, and it shall be lawful to them, of the Remnant of the said Wines [another Time [3]] to make their Profit, notwithstanding any Arrest made upon such Wines by the Butler, or any of his Lieutenants aforesaid.

The King's Butler shall take only the Wines named in his Warrant, and that within Ten Days.

IV. Pardon of Offences in Forests.

ITEM, Because that the Commons of the said Realm have prayed the King, that it may please him, to pardon them of his special Grace, all the Trespasses done in the Forests in Times past; the King, having regard to the great Aids, which his said Commons have oftentimes done to him, and the Charges which they in sundry Manners have sustained, of his special Grace hath released and pardoned to his said Commons, and to every of them, every Manner of Trespass of Vert and Venison done before this Time in his Forests, and the Price and Forfeiture of Vert, and also all the Fines, Amerciaments, and Ransoms made or to be made by this Cause. And if any of the said Commons at this Time be arrested, imprisoned, or let to Mainprise for such Cause, they shall be incontinently released and delivered free and quite, and their Mainpernors also; Except expressly the Justices, [Agistours, Chief Keepers, [4]] of Forests, Parks, and Chaces, as well in Fee as otherwise, and all Foresters, and Verdours, Regardours and Agistours, Lieutenants of Keepers, Under Foresters, and all their Servants, and Sellers of Woods and Underwoods, and all other Ministers of the King's Forests, Parks, and Chaces; whom the King will not to be comprised in this Pardon.

Officers of the Forest excepted.

And therefore We command Thee, That thou do the said Ordinances to be cried and published in Cities, Boroughs, and Ports of the Sea, and all other Places within thy Bailiwick, as well within Franchise as without, in Places where to Thee shall seem convenient, and the same do to be firmly holden and kept according to the Form and Tenor of the same. [Dated, &c.[5]]

[1] *a greater quantity of wines than was meet or needful for the said House and expences*;
[2] of *MS. Tr.* 2. [3] *from thence*
[4] *Chief Keepers, and Keepers*
[5] *Given under our great Seal at Westminster the eleventh day of June in the year of our reign of England the forty-third, and of France the thirtieth*
In the same manner it was commanded to the several Sheriffs throughout England.

Et nest pas lentencion du Roi, des g^{a}ntz, ne des cões, q̃ lordinance fait des vins lan quarrant second susdit soit repellez ne anullez, einz demoerge en suspense, tanq̃ lem verra quele p̄fit ou domage cest p̄sent g^{a}unt ferra au Roialme en temps avenir. Et voet le Roi q̃ les Gascoignes & lour s̄vantz, a toutes les foitz q̃ lo^{r} plerra, vienent ove lo^{r} vins en Engleter̄e, Gales & Irland, en mañe & si f^{a}nchement come il estoit ordeine en le dit an quarrant second, ou en ascun temps devant.

Item p^{r} ce q̃ les g^{a}ntz & cões du Roialme, avant ces heures, & ore en ce plement, se sont moult durement pleintz, de ce q̃ le Botiller le Roi & ses lieutenantz en div̄ses portz & lieux du Roialme ont embracez & pris p̄ colo^{r} de lo^{r} offices, p^{r} lostiel & despens du Roi, plus g^{a}nt nombre des vins q̃ mestier ou busoigne ne fuist p^{r} le dit hostiel & despens, & p̄ tiel colo^{r} ont arestuz les vins de marchantz amesnez en dit Roialme, & tenuz si longement en arest q̃ les g^{a}ntz & aut̄s du dit Roialme nont poeir faire lo^{r} p̄veances ne les Marchantz lo^{r} p̄fit & sovent souz tiel colo^{r} ont embracez & pris dev̄s eux tant des vins outre ce q̃ mestier nestoit p^{r} le Roi, qils les ont cõement venduz & ent fait lo^{r} singuler p̄fit, auxi avant come aut̄s Marchantz ou vynters du Roialme, au g^{a}nt domage des ditz g^{a}ntz, marchantz & aut̄s; sur quoi le Roi, desirrant ymettre remede ad ordeine del assent des ditz g^{a}ntz & cões en ce plement, q̃ le Botiller ne null de ses lieutenantz nachate, nenbrace nene p̄igne, p̄ colo^{r} de lo^{r} offices nen autre mañe, al lo^{r} oeps p̄pre ne dautri, pluis des vins p^{r} lostiel & despens du Roi qils nav̄ont en mandement, sur peine demprisonement de lo^{r} corps & destre reint a la volunte le Roi: et q^{a}nq̃ ils p̄ndront p̄ force du dit garrant s̄ra pris dedeinz x. jo's; & ce fait purront les Marchantz des ditz vins & bien lise a eux de remanant des vins deslors faire lo^{r} p̄fit, nient contreesteant ascun arest sur tieux vins faitz p̄ le Botiller ou ascun de ses lieutenants susditz.

Item, p^{r} ce q̃ les Cões du dit roialme ont priez au Roi q̃ lui pluist p̄doner a eux de sa g^{a}ce especiale les p̄spasses faitz en forestes avant ces heures; le Roi, eant regard a les g^{a}ndes eides q̃ ses ditz Cões lui ont meintfoitz faitz, & a les charges qils ont soffertz en pluso's mañes, de sa g^{a}ce especiale ad relessez & p̄donez a ses ditz cões & a chescun de eux, toute mañe de p̄spas de vert & de venison, faitz avant ces heures en ses ditz forestes, & le pris & forfait^{r}e de vert, & auxi les fines ranceons & amciementz queconqes, faitz ou affaire p̄ celle cause. Et si ascuns des ditz Cões au p̄sent soient arestuz, emprisonez, ou lessez a meinprise p̄ tiel cause, soient meintenant relessez delivres f^{a}nkes & quites, & lo^{r} mainp̄no's auxi; forp's exp̄ssement Justices Chief gardeins & gardeins de forest parks & chaces si bien en fee come autrement, & touz forestiers, verders, regardo's, agisto's, lieutenantz des gardeins, souzforestiers & touz lo^{r} s̄vantz, & vendo's de boys & subboys, & autres minist^{r} q̃conq̃ de forest, park, ou chace du Roi; les queux le Roi ne voet estre compris en cest p̄doun.

Et p̄'ceo vo^{s} cõmandons q̃ les ordinances susditz facez crier & publier, en Citees Burghs & portz du Meer, & toutes autres lieux en v̄e bailly, sibien deinz fraunchise come dehors es lieux ou vo^{s} verrez q̃ mieltz soit affaire, & les facez fermement garder & tenir solonc la teno^{r} et forme dycelles. Doñ souz n̄re g^{a}nt seal, a Westm̄ le xj. jo^{r} de Juyn, lan de n̄re regne Dengleter̄e quarrant tierce, & de France trentisme.

Eodem modo mandatū est singulis vicecomitib; p̄ Angl.

Anno 45° EDWARDI, III. A.D.1370-1.

In Margine Rotuli.

Statutū de anno quadragesimo quinto Reg' E. tercij.

STATUTE of the Forty-fifth Year of King EDWARD III.

Ex magno Rot. Stat. in Turr. Lond. m. 1.

AU plement somons a Westm̄, lundy en la prim̄e simaigne de quarresme, lan du regne le Roi Edward, tiercz puis le conquest, quarrante quint; entre au̯s choses estoit ordeine & establi, q̄ la g"nde Chre & la Chartre de la foreste soient tenuz et gardez en touz pointz.

Itm̄, come en lestatut fait a Westm̄ lan vint quint, entre au̯s choses estoit ordeine & accordee q̄ porce q̄ cōes passages des niefs & bateux en les g"ntz Rivers Dengleᵭre si feurent soventfoitz destourbees p le lever des gortz, molyns, estankes, estaches & kideulx, en g"nt damage du poeple, accorde feust & establi q touz tieux gortz, molyns, estankes, estaches & kideulx q̄ feurent levez & mys en temps le Roi laiel & depuis, en tieux Riv̯s, p queux les niefs & bateulx feurent destourbeez qils ne poent passer come ils soleient, ſroient oustees & nettement abatuz, saunz estre relevez; & ſroient s' ce briefs maundez as viscontes des lieux ou mestir ſroit de s'veer & enquere & de faire ent execucion, & aussint q̄ Justices ſroient s' ce assignez a toutes les foitz qil busoigneroit: & ja a la grevouse pleinte des g"ntz & cōes faite en cest p̄sent plement compleignantz p lo' peticion q̄ le dit estatut nest pas duement execut ne garde, solonc leffect dycele; est accorde & establi q̄ le dit estatut en ce point soit tenuz & gardez solonc leffect dycele: Ajoustant a ycele, q̄ si nul tiele anusance soit abatuz p due pces, contenuz en le dit estatut, celi qi ferra relev̯ le dit anusance & de ce soit atteint duement, encourge la peine de Cent marcs dev̯s le Roi, a lev̯ p estrete en Lescheqer; & autiele ley se tiegne danusaunce faite p le enhancer des tieux gortz molyns, Estanks, estaches et kideulx come p novel lev̯.

Itm̄ a la pleinte des ditz g"ntz & cōes, monstranz p lo' peticion q̄ come ils vendent leur gros boys dage de vint anns, [ou quarrante anns,[1]] ou de greinde age, as Marchantz au p̄fit de eux mesmes & en eide du Roi en sa guerre, p̄sones & Vikers de Seinte esglise les ditz Marchantz empledent & t"vaillent en Court cristien p' les dismes du dit boys el noun de ceste parole Silve cedue p quoi ils ne poeient vendre leur boys a v̯roie pris, a g"nt damage de eux & de Roialme; est ordeine & establi q̄ p̄hibicion en ce cas soit g"ntee, & s' ce attachement, come ad este avant ces heures.

Itm̄ est accorde & establi q̄ nul imposicion ou charge soit mys s' les leines pealx lanuz ou quirs, autre q̄ la custume & subside g"ntez au Roi nulle pt saunz assent du plement; et si nul soit mys soit repelle & tenuz p' nul.

[1] *Printed Copies* omit.

AT the Parliament summoned at Westminster the Monday in the First Week of Lent, the Five and fortieth Year of the Reign of King Edward the Third, [It is ordained,[1]] That the Great Charter and the Charter of the Forest be holden and kept in all Points.

I. Confirmation of the Charters.

ITEM, Whereas in the Statute made at Westminster, in the Five and twentieth Year, amongst other Things it was ordained, That because the Common Passage of Ships and Boats in the great Rivers of England, were often disturbed by the levying of Wears, Mills, Stanks, Stakes, and Kiddles, [which were levied and set up in the Time of the King's Grandfather,] in great Damage of the People; it was accorded and established, That all the Wears, Mills, Stanks, Stakes, and Kiddles, which were levied and set up in the Time [aforesaid,[2]] and after, in such Rivers, whereby the Ships and Boats were disturbed, that they might not pass as they were wont, should be [cut,[3]] and wholly pulled down without repairing; and thereupon Writs should be made and sent to the Sheriffs of Places where it should be needful to survey, enquire, and to make thereof Execution, and also that Justices be thereupon assigned at all Times when Need shall require: And now at the Grievous Complaint of the Great Men and the Commons made in this present Parliament, complaining by their Petition, that the Statute is not duly executed nor kept, according to the Effect of the same: It is accorded and established, That the said Statute in this Point be holden and kept according to the Effect of the same; joining thereto, that if any such Annoyance be [done, it shall be[4]] pulled down by due Process contained in the said Statute, [and[4]] he that shall repair the same Annoyance, and thereof be duly attainted, shall incur the Pain of an Hundred Marks to the King, to be levied by Estreats of the Exchequer; and the like Law shall hold of Annoyance made by enhansing of such Wears, Mills, Stanks, Stakes, and Kiddles, as by the new levying.

II. Stat. 25 Edw. III. st. 3. c. 4. as to Wears, recited.

The said Statute confirmed.

Penalty for repairing Weirs, &c. after due abating thereof.

ITEM, At the Complaint of the said Great Men and Commons, shewing by their Petition, That whereas they sell their Great Wood of the Age of Twenty Years, ([5]) or of greater Age, to Merchants to their own Profit, or in Aid of the King in his Wars; Parsons and Vicars of Holy Church do implead and [draw[6]] the said Merchants in the Spiritual Court, for the Tithes of the said Wood in the Name of this Word, called Sylva cædua; whereby they cannot sell their Woods to the very Value, to the great Damage of them and of the Realm; It is ordained and established, That a Prohibition in this Case shall be granted, and upon the same an Attachment, as it hath been used before this Time.

III. Prohibition to Spiritual Courts, in Plea for Tithe of Wood, of Twenty Years Growth.

ITEM, It is accorded and established, That no Imposition or Charge shall be put upon Wools, Woolfels, and Leather, other than the Custom and Subsidy granted to the King, in no Sort, without the Assent of the Parliament; and if any be, it shall be repealed and holden for none.

IV. No Imposition upon Wools, &c. without Assent of Parliament.

[1] *after the Conquest, among other things it was ordained and established*
[2] *of the King's Grandfather*
[3] out
[4] Omit these Words.
[5] *or Forty years*
[6] *molest*

Anno 46° EDWARDI, III. A.D.1372.

Practising Lawyers and Sheriffs shall not be returned to Parliament as Knights of the Shires.

WHEREAS Men of the Law who follow divers Businesses in the King's Courts on behalf of private Persons, with whom they are, do procure and cause to be brought into Parliament many Petitions in the Name of the Commons, which in no wise relate to them, but only the private Persons with whom they are engaged; Also Sheriffs who are common Officers for the People, and ought to be abiding in their Office, for the doing Right to every one, are named, and have heretofore been and returned to Parliament Knights of the Shires, by the same Sheriffs; It is accorded and assented in this Parliament, that hereafter no Man of the Law following Business in the King's Court, nor any Sheriff for the Time that he is Sheriff, be returned nor accepted Knights of the Shires; nor that they who are Men of the Law and Sheriffs now returned to Parliament have any Wages; But the King willeth that Knights and Serjeants of the most worthy of the County be hereafter returned Knights in Parliament; and that they be elected in full County.

Ex Rot. Parl. 46 *Ed. III. m.* 1. *nu.* 13.*

PURCE q̃ Gentz de ley q̃ p'suent diᵛses busoignes en les Courts le Roi p' singulers ꝑsones ove queux ils sont, ꝑcurent & font mettre plusours peticions en ꝑlementz en noū des cões, q̃ rien lour touche mes soulemēt les singulers ꝑsones ove queux ils sont demorez; Auxint Viscontz q̃ sont cões Ministres au Poeple & deivent dem'er s' lo' Office pur droit faire a checuny, sont nomez & ont este devant ces heures & reto'nez en ꝑlementz Chivalers des Countees ꝑ mesmes les Viscontes; est acorde & assentu en cest ꝑlement, q̃ desormes nulf hōme de ley p'suant busoignes en la Court le Roi, ne Viscont p' le temps qil est Viscont soient reto'nez ne acceptez Chivalers des Countees, ne q̃ ces q̃ sont gentz de Ley & Viscontz ore reto'nez en ꝑlement eient gages. Mes voet le Roi, q̃ Chivalers & ꝰjantz des meulz vaues du paies soient reto'nez desore Chivalers en ꝑlementz, & q̃ils soient esluz en plein Countee.

* This Ordinance was first printed in the Edition of the Statutes published by Cay; together with several of the Petitions of the Commons in this Parliament, and the Answers thereto, arbitrarily selected from those entered on the Parliament Roll of this Year: The Reason given by Cay for introducing these Petitions and Answers is, that 'one of the Ordinances' of this Parliament is printed 'as a Statute' in the Preface to the Third Part of Lord Coke's Reports, and is cited as such in Colonel Sidney's Trial, 35 Car. II, and in Lord Preston's Trial, Anno 2 Will. and Mary. What is thus termed 'one of the Ordinances' by Cay, and 'an Act of Parliament' by Lord Coke, is a Petition with the King's Answer thereto, 'Le Roi le voet.' relating to the Search and Exemplification of Records, entered on the Parliament Roll *m.* 5. *nu.* 43: but it does not appear that any Act was ever drawn up or enrolled in Form, on the Statute Roll or otherwise, either upon that Petition, or upon any of the other Petitions which have a similar Answer. The Cause assigned for the Insertion of such Petitions and Answers in this particular Instance by Cay, would apply to many other Petitions and Answers entered on the Parliament Rolls, which are incidentally considered as Statutes by Lord Coke and other Writers; but none of which are found enrolled in the Form of Acts, or inserted in any Printed Editions of the Statutes. The Instrument printed in the Text, is expressly stated on the Parliament Roll, *m.* 1. *nu.* 13, to be an Ordinance made in this Parliament; and having been printed by Cay is therefore here reprinted, with a Translation thereof.

Anno 47° EDWARDI, III. A.D.1373.

Statutū de Anno xlvij R. E. t'cii.

STATUTE OF THE FORTY-SEVENTH YEAR OF KING EDWARD, III.

*Ex Lib. Scacc. Westm. X.**

[A[1] LA greve compleint de la cõialtee du roialme Dengleṫre ꝑ lo[r] peticion mys en cest ꝑsent ꝑlement tenuz a Westm̄ lendemayn de Seint Esmond le Martir, lan du regne le Roi Edward tierce qarant septisme; ¶ Compnant les damages & pdes qaveignent as g[a]ntz & tout la cõialtee de ceo q̃ les draps de leyn faitz en Engleṫre, sibien draps de colour come des raies, ne tiegnent en longure & laeure come soloient; est acorde & assentu ꝑ le Roi Prelatz g[a]ntz & cões en mesme le ꝑlement[1]] q̃ les draps affair en Engleṫre [soient de la mesure q̃ensuit; cestassavoir les draps[2]] du Ray [de[3]] la longure de xxviij. [aunz[4]] mesurez ꝑ la list [& v. quarṫrs de laeure;[5]] Et le drape de colo[r] xxvj. [aunz[4]] de longure mesurez ꝑ le doos & vj. quarters de laeure au meyns: Et q̃ demye drap̃, soient de raye ou colo[r], tiegnent la longure & la laeure avantditz solonc lafferant. Et si nul drap [de Ray ou de colo[r] ou demy drape[6]] soit mys a vente apꝫs la Goule daust [ꝑchein avenir q̃ ne conteignent tiel mesure soit meyntenant forfait[7]] au Roi en qi mayns qil soit trove [au Roi: Et nest pas lentent du Roi les g[a]ndz & cões[8]] q̃ les draps q̃ gentz font a lour oeps demesne, ou a lo[r] meignee, ou p[r] vendre as meindrez gentz q̃ ne ꝫront forfaitz tout ne soient ils de tiel mesure.

Cm jm.

Ca[m] Scdm. Item [[9] p[r] ceo q̃ les gentz descoce ꝑ lour sotiltee ont treit la bone monoie dargent hors Dengleṫre, & lon mys en lo[r] coigne au meyndre Value q̃ la moneye Dengleṫre est, & issi court en paiement en dit roialme Dengleṫre a g[a]ndz ([10]) & deceit du Roi & des g[a]ntz & de tout la cõe, est ordeigne & acorde[11]] q̃ la monoie de quatre deniers Descoce soit mys a co[r]ge en value de trois deniers, & de meindre monoie solonc la quantite. ¶ Et si ꝑ cas celle monoie descoce soit empeiree soit celle monoie issint empeire mys au meyndre price solonc la quantite de lempeirement.

[1] Prim̄me[t] est accorde,

[2] *Lib. Scacc. IX. & Printed Copies* omit.

[3] eient [4] ulnes

[5] & la laeure de vj quarṫs. *The Petition in Rot. Parl.* 47 *Edw. III. nu.* 15. *reads* & v. quarṫs de laeure.

[6] *Lib. Scacc. IX. & Printed Copies* omit.

[7] qi ne soit dassise av[a]ntdit soit forfait

[8] sauve [9]—[11] est acorde

[10] damage *Rot. Parl.* 47 *Edw. III. nu.* 18.

[[1] AT the grievous Complaint of the Commonalty of the Realm of England, by their Petition delivered in this present Parliament, holden at Westminster, on the Morrow of Saint Edmund the Martyr, in the Forty-seventh Year of the Reign of King Edward the Third: Concerning the Losses and Damages which happen to the Great Men and all the Commonalty, from this, that the Woollen Cloths made in England, as well Cloths of Colour as of Ray, hold not their Length and Breadth as they were wont; It is accorded and assented by the King, Prelates, Great Men, and Commons in the same Parliament;[1]]

I. Assise of Cloths.

THAT the Cloths [of Ray to be made in England, shall have the Length[2]] of xxviij. Yards measured by the List, and the Breadth of [vj.[3]] Quarters; and the Cloth of Colour of the Length of xxvj. Yards measured by the Back, and the Breadth of vj. Quarters at the least: And that the Half Cloth, be it of Colour or of Ray, shall hold the Length and Breadth aforesaid, after the Rate. And if any Cloth ([4]) be put to Sale after the Gule of August, ([5]) that is not of the said Assise, it shall be ([6]) forfeit to the King, in whose Hands soever it be found: [Saving[7]] the Cloths which People make for their own Use, or for their [Men,[8]] or to sell to [less[9]] People, [which shall not be[10]] forfeit although they be not of such Measure.

II.

[[11] ITEM, For that the People of Scotland by their Subtlety have drawn the good Silver Money out of England, and have made their Coin of less Value than the Money of England is, and so it passeth in Payment in the said Realm of England, to the great Damage and Deceit of the King and of the Great Men and of all the Commonalty; It is ordained and accorded,[11]]

Currency of the Scottish Groat.

That the Scottish Groat shall be current of the Value of iijd. and of less Money according to the Quantity: And if per-case this Scottish Money be impeired, the Money so impeired shall be set at a less Price, after the Quantity of the impeiring.

[1] *Printed Translations read*, First, It is accorded,

[2] *to be made in England, shall be of the measure following, that is to say, Cloths of Ray of the length*

[3] *five* [4] *of Ray or Colour, or Half-Cloth*

[5] *next coming,* [6] *forthwith*

[7] *And it is not the Intent of the King, the Great Men, and the Commons, as to*

[8] Meynye [9] poor [10] *that they shall be*

[11] *Printed Translations read*, Item, it is accorded,

* Another Copy of this Statute is in *Lib. Scacc. Westm. IX.* of which the Various Readings are given in the Notes. That Copy is not so correct or full as the Text now printed. The Old Printed Copies are in like Manner deficient, and agree in the Various Readings noted.

Anno 50° EDWARDI, III. A.D.1376-7.

De p'donaco'ibz & gr'is fc'is p' Regē Co'tati regni sui Angl'; Anno quinquagesimo Reg' E. t'cii.

In Margine Rotuli.

Of the PARDONS and GRACES,

Granted by the King to the Commonalty of his Realm of England; In the Fiftieth Year of King EDWARD, III.*

BY the Assent of the Prelates, Dukes, Earls, Barons, and other assembled at the Parliament holden at Westminster, at the Fifteenth of St. Hillary, the Year of the Reign of our Lord the King that now is, of England the Fiftieth, and of France the Seven-and-thirtieth; the same our Lord the King much desiring that the Peace of his Land be well kept, and his faithful Subjects in Quietness and Tranquillity maintained, hath therefore made and established certain Ordinances, and also granted certain Graces and Pardons to his Commons of England, in the Form as hereafter followeth: Which Ordinances, Pardons, and Graces he will, for the Honour of God and of Holy Church, and Quietness of the same his People, they be firmly kept and holden in all Points.

I. Liberties of the Church confirmed.

FIRST, It is ordained and established, That Holy Church have all her Liberties and Franchises in Quietness, without Impeachment or other Disturbance.

II. Charters confirmed.

ITEM, That the Great Charter, and the Charter of the Forest, be firmly holden and kept in all Points.

III. The King's Pardon to the People, in the Year of his Jubilee.

ITEM, Our Sovereign Lord the King, considering the great Charges and Losses which his said People have had and suffered in Times past, as well by the Wars, as otherwise by the Pestilence of the People, Murrain of Beasts, and the Fruits of the Land commonly failed by Evil Years in Times past, whereof our Sovereign Lord the King hath great Compassion, and for so much willing [in this Parliament now this present Year,[1]] to do them greater Grace than ever he did before, for as much as this Year is rightfully the Year of [his] Jubilee, or the Year of Grace of his Reign aforesaid accomplished, whereby his said Commons may the better recomfort themselves, and thereby have the greater Courage to do well hereafter; and also our said Sovereign Lord the King having in Memory, how that in the Year of his Reign of England, the xxxvj. which was the l. Year of his Birth, he made a Grace and Pardon to his said Commons of England, pardoning them of all Escapes of Felons, and Chattels of Felons and Fugitives, Trespasses, Negligences, Misprisions, Ignorances, and many other Articles of the Eyre, and other Things fallen and chanced within the same Realm of England, whose Punishment lieth in Fine or in Ransom, or in other pecuniar Pains, or Imprisonment, or in Amerciament of the Commons of Towns or of singular Persons, or in Charge of their Freehold that never trespassed, as Heirs or Land Tenants of Eschetors, Sheriffs, or Coroners at the King's Suit, willing and granting

[1] nowe in this present yeere l. of his Reigne of Inglond, *MS. Tr.* 2.

Ex magno Rot. Stat. in Turr. Lond. m. 1.

DEL assent des Prelatz Ducs Countes Barons & autres assemblez au plement tenuz a Westm̄ a la quinszeine Seint Hiller, lan de regne nr̄e s̄r le Roi Dengleṫre cynquantisme, & de France trent septisme, meisme nr̄e s̄r le Roi desirant molt q̄ la paix de sa ṫre soit entierment garde, & ses foialx subgiz en quiete & t'nquillite maintenuz, si ad p tant fait & establiz ṫeines ordinances & auxint ottroiez ṫeines g'ces & pdones, a sa cōe Dengleṫre, en la fourme q̄ sensuit; les queles ordinances pdones & g'ces il voet qal hon'e de Dieu & seinte esglise, & quiete de meisme son poeple, soient fermement tenuz & gardez en touz pointz.

Primement est ordeigne & establi, q̄ seinte esglise eit ses libtees & franchises en quiete, [sanz empeschement[1]] ou desto'bance ascune.

Item q̄ la g'nt Chartre, & la Chartre de la Foreste soient fermement tenuz & gardez en touz pointz.

Item nr̄e dit s̄r le Roi, eiant consideracion a les ṫsg'ntz chargez & pdes, les queux son dit poeple ad eux & portez ceo enarere, sibien pmy les guerres come aut'ment p pestilence des gentz morine des bestes & les fruitz de la ṫre comunement failitz p malveis anees devant ceste heure, dont nr̄e dit s̄r le Roi si ad g'nt compassion, & p tant leur veulant ore en cest p̄sent an cynquantisme de son dit regne Dengleṫre faire greindre g'ce qil ne leur fist unqes devant, a cause q̄ cest an si est droitement lan de Jubile, ou lan de g'ce de son regne avantdit accompli, pont sa dite cōe se p'ra le mieltz recomforter, & ent aient le greindre coer de bien faire en temps avenir; et auxint nr̄e dit s̄r le Roi aiant en memoire coment en lan de son dit regne Dengleṫre trent sisme q̄ feut lan de son neestre cynq'ntisme il fist g'nt g'ce & pdon̄ a sa dit cōe Dengleṫre, leur pdonant alors touz eschaps des felons, & chateux des felons & des futifs, ṫspasses negligences, mesprisions & ignorances, & pluseurs aut̄s articles de Eire, & aut̄s choses eschuz ou avenuz deinz le Roialme Dengleṫre, dont le punissement cherroit en fyn ou en raūceoū, ou en aut̄s peines pecuniers, ou aut'ment en emprisonement ou en amciement des cōes des villes, ou des singulers psones, ou en charge de frank tenement de ceux q̄ unqes ne ṫspasserent, come heirs, ou ṫre tenantz des Escheto's, Viscountz & Coron̄s, a la suite le Roi, veullant & g'ntant

[1] Interlined on the Roll.

* In all Printed Copies this Statute is ascribed to the Fiftieth Year of this Reign; and in the Body of the Statute it is stated to have passed in that Year. But it appears from *Rot. Parl.* 51 *Edw. III.* that the Parliament in which this Statute was made, was begun to be holden in Fifteen Days of Saint Hilary, which was the Tuesday next after the Conversion of Saint Paul, in the beginning of the Fifty-first Year of this Reign. See also *Rot. Pardonationum* 51 *Edw. III*: and further *Rot. Stat. Ric. II. m* 25. *nu.* x. and *Rot. Parl.* 1 *Ric. II. m.* 13. *nu.* lviij. 99, where this Pardon is referred to as granted in the Fifty-first Year.

alors q̃ mesme sa Cõe ent feussent oustment deschargez tanq̃ al xiij^me jo^r Doctobr le dit an trente sisme, a quele jo^r mesme le pdon se fist come pluis au plein est contenuz en icelle: Voet & g^ant, al hono^r de Dieu q̃ si longement lui ad suffert regn̄ sur mesme son poeple, en tante de pspite, q̃ mesme sa Cõe Dengletre, & chescune singulere psone dicelle, du queleconq̃ estat ou condicion qils soient, sibien petitz come g^ntz, aient ores & enjoisent autiels g^ces & pdoñ des toutes choses comprises deinz le pdoñ avantdite, eschuz ou avenuz del dit xiij^me jo^r Doctobr tanq̃ al cõmencement de cest p̄sent an cynq^antisme. Et outre ceo, nr̃e dit s^r le Roi ad ensement pdonez & relessez a sa Cõe avantdite, toutes mañs des douns alienacions & p^rchaces, faitez p eux ou ascun de eux des t̄res & teñtz tenuz de lui en chief, saunz licence du Roi; & toutes mañs des entrees si ascuns eient faitz en leur heritages aps la mort leur ancestres, saunz les p^rsuer hors des mayns le Roi p due pcesse, tanq̃ al comencement de mesme lan cynq^antisme; forpris ceux teñtz queux sont alienez a mort main & ceux teñtz auxint q̃ sount ore seisiz es mains nr̃e s^r le Roi p causes des tieux alienacions & entrees: Et auxint lour ad entierment pdonez & relessez toutz fyns amciementz issues forfaitz reliefs & escuages, faitz eschuz ou avenuz deinz mesme le Roialme dengletre; & avec ceo toutes mañs des dettes & accomptes, tanq̃ al an del regne nr̃e dit s^r le Roi Dengletre quarrantisme; & auxint touz mañs daccions & demandes, queux il yad ou p^rra avoir, p lui soul ou austment joint ovesq̃ aus psones, envs nully de sa dite Cõe, sibien a cause de mesmes les accomptes & dettes, come austment a cause de passage des leynes, quyrs, pealx lanuz ou aus mchandises, as pties de dela encontre les defenses & ordinances ent faitz, si bien en covture & en noun des Marchauntz, ou p colo^r des patentes g^antes a Durdragt ou aillo's depdela, come p autre voie quelconq̃ p celles causes, & sibien du temps Waut de Chiritoñ & ses compaignons nadgairs fermñs des subsides & custumes, come en aut temps tanq̃ al an de son dit regne Dengletre quarrantisme; forpris ceux dettes queux sount adjuggez p seisyn des t̄res ou teñtz ou atminez en aut manle; & horpris celles dettes q̃ luy sont duez du p̄sent, p ascuns qont este Viscontes, Escheto's, Coillo's des custumes & subsides x^mes ou xv^mes, fermñs des Manoirs, Vitaillers, & aus qont este en g^antz offices ovesq̃ le Roi devant ceste heure, les queux sont unqores en pleine vie. Et auxint nr̃e dit s^r le Roi leur ad pdonez gnalment la suite de sa paix p^r toutes mañs des felonies faitz ou ppetrez avant le comencement del dit an cynq^antisme, ovesq̃ les Utlagaries si nullez en eux soient p celles enchesons pnuncies; exceptes tantsoulement tresons, murdres, cões larons, & rapes des fẽmes. Mais toutes voies il nest mye lentencioñ nr̃e s^r le Roi [q̃ Sire William de Wykham Evesq̃ de Wyncestre, nenjoise riens des dites g^ces & pardons, naucunement soit compris en ycell; ne q̃ ascuns enjoisent [1] riens de la dite g^ce des pdons des felonies, sils nent p^rsuent leur chartres en especial, pentre cy & la Nativite Seint John Baptistre pchein venant.

[1] q̃ ascuns enjoisent *Rot. Pardon.* 51 *Edw. III. omitting what relates to the Bishop of Winchester; wherewith the Old Printed Copies agree.*
q̃ Sire Willm de Wykeham Evesq̃ de Wyncestre, soit compris deins les pardoñ & g^ce avantditz, nenjoisse rienz dycelles; ne q̃ null autre enjoisse *Rot. Parl.* 51 *Edw. III. m.* 7. *nu.* vj.
Several ancient MSS. agree with Rot. Stat. & Rot. Parl.

[another Time,'] that the same his Commons should be thereof utterly discharged till the xiij. Day of October, the said xxxvj. Year, at which Day the same Pardon was made, as more plainly is contained in the same: Will and granteth to the Honour of God, which so long hath suffered him to reign over the same his People in ([2]) Prosperity; that the same his Commons of England, and every singular Person of the same, of what Estate or Condition that they be, as well Small as Great, shall have now and enjoy all such Graces and Pardons of all Things comprised within the said Pardon, fallen or chanced from the said xiij. Day of October, till the beginning of this present I. Year. And Moreover, our said Sovereign Lord the King, hath pardoned and released to his said Commons, all Manner of Gifts, Alienations, and Purchases made by them or any of them, of Lands and Tenements holden of him in Chief, without the King's Licence; and all Manner of Entries, if they have made any, in their Heritage after the Death of their Ancestors, without suing them out of the King's Hands by due Process, till the beginning of the same Fiftieth Year, except those Tenements which be aliened into Mortmain, and those Tenements also which now be seised into the King's Hands, because of ([3]) Alienations and Entries: And ([4]) hath wholly pardoned and released all Fines, Amerciaments, Issues, Forfeits, Reliefs, and Escuages made, fallen, or chanced within the same Realm of England; and also all Manner of Debts and Accompts till the Fortieth Year of [his Reign;[5]] and also all Manner of Actions and Demands, which he hath or may have by him Sole, or else jointly with other Persons, against any of his said Commons, as well for the Cause of the same Debts and Accompts, as otherwise because of Passages of Wools, Leather, and Woolfels, or other Merchandises to the Parts beyond the Sea, against the Defences and Ordinances thereof made, as well privily and in the Name of the Merchants, or by Colour of Letters Patents granted at Drodagh, or elsewhere beyond the Sea, as by any other Way for these Causes, and as well of the Time of Walter of [Charlton,[6]] and his Fellows late Fermors of the Subsidy and Customs, as in other Times, till the Fortieth Year of his said Reign of England; except all the Debts that be judged by Seisin of Lands or Tenements, or [to be determined[7]] in other Manner; and except the Debts that be now at this Time due unto him by any that have been Sheriffs, Eschetors, Collectors of Customs and Subsidies, Dismes and Quinzimes, Fermors of Manors, Victuallers, and other that have been in Great Offices with our Sovereign Lord the King in Times past, which be yet [in plain Life.[8]] And also our Sovereign Lord the King hath generally pardoned them the Suit of his Peace, for all Manner of Felonies done or committed before the beginning of the said Fiftieth Year, with the Outlawries if any [be in them[9]] by such Enchesons pronounced: Except always Treasons, Murders, Common Thefts, and also Rapes of Women. But always it is the King's Mind [[10]that Sir William Wikham, Bishop of Winchester, shall nothing enjoy of the said Graces, [Grants,"] and Pardons, nor in no wise be comprised within the same; nor that none shall enjoy [[12]] any Thing of the said [Graces, or[13]] Pardons of Felonies, unless they pursue their Charters in especial, betwixt this and the Nativity of St. John Baptist next coming.

[2] *then* [3] *so much* [4] *such* [5] *also*
[5] *the reign of our said Sovereign Lord the King, of England;*
[6] *Chiriton* [7] *determined* [8] alive *MS. Tr.* 2.
[9] *such there be*
[10—12] All Printed Translations agree in this Reading: *MS. Tr.* 2. reads thus:
But alwey it is nat thentencioun of the Kyng our Lord that any Man enjoie
[11] Not in Original. [13] grace of *MS. Tr.* 2.

IV. Prohibition shall not be allowed, after Consultation granted.

ITEM, It is ordained and stablished of the said Assent, That Whereas a Consultation is once duly granted upon a Prohibition made to the Judge of the Holy Church, that the same Judge may proceed in the Cause by virtue of the same Consultation, notwithstanding any other Prohibition thereupon to him delivered: Provided always, That the Matter in the Libel of the said Cause be not engrossed, enlarged, or otherwise changed.

V. Priests and Clerks shall not be arrested during Divine Service.

ITEM, Because that Complaint is made to our Lord the King, by the Clergy of his said Realm of England, that as well divers Priests bearing the sweet Body of our Lord Jesus Christ to Sick People, and their Clerks with them, as otherwise divers other Persons of Holy Church, whiles they attend to Divine Services in Churches, Churchyards, and other Places dedicate to God, be sundry Times taken and arrested by Authority Royal, and Commandment of other Temporal Lords, in Offence of God, and of the Liberties of (1) Holy Church, and also in Disturbance of Divine Services aforesaid; the same our Lord the King, who would be sore displeased if any did in such Manner, will and granteth, and defendeth upon his grievous Forfeiture, That none do the same from henceforth; So that Collusion or feigned Cause be not found in any of the said Persons of Holy Church in this Behalf.

VI. Fraudulent Assurances of Lands or Goods to deceive Creditors, declared void.

ITEM, Because that divers People [inherit [2]] of divers Tenements, borrowing divers Goods in Money or in Merchandise of divers People of this Realm, do give their Tenements and Chattels to their Friends, by Collusion thereof to have the Profits at their Will, and after do flee to the Franchise of Westminster, of St. Martin le Grand of London, or other such privileged Places, and there do live a great Time with an high Countenance of another Man's Goods and (3) Profits of the said Tenements and Chattels, till the said Creditors shall be bound to take a small Parcel of their Debt, and release the Remnant; It is ordained and assented, That if it be found that such Gifts be so made by Collusion, that the said Creditors shall have Execution of the said Tenements and Chattels, as if no such Gift had been made.

VII. Exporting of Woollen Cloths unfulled.

ITEM, It is ordained and defended by our Lord the King, That no Woollen Cloths shall be carried into any Part out of our Realm of England before they be fulled; nor that any Subsidy be thereof demanded nor paid, before that they be fulled.

VIII. Irish Frize except from Subsidy.

ITEM, It is ordained and established, That no Subsidy nor Aulnage shall be paid, levied, nor demanded of Cloths called Friseware, which be made in Ireland, or otherwise in England of Irish Wool, brought within the Realm of England, because that those Cloths do not contain the Length and Breadth ordained by the Statute; and for so much they ought not to be comprised in the Statutes late made of Ray Cloths and coloured Cloths.

See Statute 47 Edw. III.

[1] *bis* [2] *possessed by Inheritance* [3] *of the*

Item est ordine & establi de lassent avantdit, q̃ p la ou consultacion est une foitz duement g̃untez, s̄r phibicion faite a Juge de seinte esglise, q̃ mesme le Juge puisse p̄cedre en la cause p̄ vtue de mesme la consultacion, non obstante ascun autre p̄hibicion s̄r ceo a luy baille: Purveu toutesfoitz, q̃ la matire en la libell̃ du dite cause ne soit engrassee enlargee ou p autre mañe chaungee.

Item p̄r ceo q̃ pleinte est faite a nr̃e s̄r le Roi, p le clergie de son dit Roialme Dengleṫre, q̃ sibien div̄ses prestres, portantz le corps nr̃e s̄r Jh̄u Crist as malades, & leur Clerks ovesq̄ eux, come aut̄ment pluso's aut̄s p̄sones de seinte esglise, tantcome ils entendont as divines s̄vices es esglises, Cimitoires, & aut̄s lieux dediez a Dieu, sont pluso's foitz pris & arrestuz p auctorite roiale & comandement des aut̄s Seign̄s temporeles, en offence de Dieu & de lib̄tee de sa seinte esglise, & auxint desto'bance des divines s̄vices avantditz; mesme nr̃e s̄r le Roi, a qi meult despleroit si nully le fist en tiel mañe, voet & g̃unte & auxint defende s̄r sa grevouse forfaiture q̃ nully le face desoremes; Issint q̃ collusiō ou cause feyne ne soit trove en ascun des ditz p̄sones de seinte esglise en celle p̄tie.

Item, p̄r ceo q̃ div̄ses gentz enheritez des div̄ses teñtz, creanceantz div̄ses biens en monoie ou en m̄chandise des pluso's gentz de Roialme, donnent lour teñtz & chateux a lo̅r amys p collusion davoir ent les p̄fitz a leur volente, & puis senfuent a la fraunchise de Westm̄, ou Seint Martyn le g̃nt en Loundres, ou aut̄s tielx places privilegeez, & illoeqes vivent long temps a g̃nt countenance dautry biens, & des p̄fitz des ditz teñtz & chateux, tanq̄ les ditz credito's s̄ront molt leez de p̄nder une petite p̄celle de lo̅r dette & relesser le remanant; ordeigne est & assentuz q̃ si p̄ra estre trovez q̃ tielx douns soient issint faitz p collusion, q̃ les ditz credito's eient execucion des ditz teñtz & chateux, auxi avant come nul tiel doun nent eust este fait.

Item ordeigne est & defenduz p nr̃e s̄r le Roi, q̃ nulles draps de leyne soient amesnez nulle p̄t hors del roialme dengleṫre, devant qils soient fullez; ne q̃ nulle subside ent soit demande ou paie devant ceo qils soient fullez.

Item ordeigne est & establi q̃ nulle subside ou aulnage soient paiez levez ne demandez des draps appellez Friseware, queux sount faitz en Irland, ou aut̄ment en Engleṫre de leynes Irreises amesnes deinz le Roialme Dengleṫre; a cause q̃ celles draps ne contienent longeure & laieure ordeinee p̄ statut & p tant ne deivent estre comprises en les estatutz nadgairs faitz des draps du Ray & du colour.

End of the Statutes of King Edward the Third.

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DIRECTIONS TO THE BINDER.

The Half Title, the Title, and the Sheets following, having Signatures b to z, ending page lxxxix, contain all the Preliminary Matters, with the Introduction and Appendix.

Next is to follow the Sheet having the Half Title 'CHARTERS OF LIBERTIES,' and containing the Table of the Charters; and then the Sheets with the Signatures B to M, ending p. 44, all having the Running Title 'CHARTERS OF LIBERTIES.'

Three Sheets with the Signatures *a. *b. *c. the first having the Half Title 'THE STATUTES' &c. and the others containing the Chronological Table of the Statutes, and ending page x. are to be inserted immediately after the Charters, and before the Body of the Statutes.

The Sheets containing the Body of the Statutes have regular Signatures from B to 3 R (pa. 1. to 238); After those are to be inserted Three Sheets, with Signatures 3 R *a*. 3 R *b*. 3 R *c*. (p. 239 to 250.) and then Sheet Signature 3 S. pa. 251. and from thence regularly to the End, Signature 5 R. including the Index.

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